

COMMISSION FOR TEACHER PREPARATION AND LICENSING

1020 O STREET
SACRAMENTO 95814

November 20, 1978

No. 78-7918

TO: All Individuals and Groups Interested in the Activities
of the Commission for Teacher Preparation and Licensing

FROM: Peter L. LoPresti, Executive Secretary *PL*

SUBJECT: Credentials Required For Administrative Functions
Performed More Than Half Time - Proposed Regulations

The Commission is considering amendments to those sections of the Title V Regulations which deal with administrative and supervisory functions requiring teaching or services credentials when the functions are performed more than 50 per cent of the employee's time. The intent of these new regulations is to clarify and provide greater flexibility.

The enclosed proposed new regulations are being sent to the field to seek the widest possible response to their intent and effect on assignments and operation.

These proposed regulations are in preliminary form and should not be considered as an officially-adopted Commission document. The regulations now in operation are enclosed for your easy reference. I hope you will duplicate and distribute these statements to anyone you believe might be interested in responding. For your information, these documents are being distributed to college and university presidents, academic deans, deans of education, directors of education programs, chairperson of departments of administration, county and district superintendents of schools, personnel administrators, appropriate associations, and others.

To provide the Commission an opportunity for thorough review, and to allow time for correlation and assimilation of the information, we would appreciate your reactions and suggestions in writing by January 15, 1979. Both positive and negative responses are requested. Before any regulations are officially adopted by the Commission, a public hearing will be scheduled in order to provide additional opportunity for submission of recommendations.

The Commission welcomes your continued participation in this important undertaking. If you have any questions, please feel free to contact Dr. Blair Hurd (916) 445-0228 or me (916) 445-0184.

Enclosures

PROPOSED NEW REGULATIONS TO REPLACE SECTIONS 80125,
80126 AND 80127 OF ARTICLE 6, CHAPTER 1, PART VIII
OF CALIFORNIA ADMINISTRATIVE CODE, TITLE V

80125. Designation of Service Requiring Administration or Supervision Credentials.

Pursuant to Education Code Sections 35020, 35028, 44065, and 44860, any person initially employed as of July 1, 1979 who is assigned to perform and who does perform one or more or a portion of any of the functions or services included in (a) through (g) for more than one-half of the hours worked by such person in a school year shall possess a valid, current credential authorizing administration or supervision:

- (a) Selection, assignment, or evaluation of certificated personnel at school, district, or county level.
- (b) Coordination, supervision, and direction of the work of instructors and of the instructional programs at district or county level.
- (c) Coordination, supervision, and direction of staff development for certificated personnel at district or county level.
- (d) Coordination, supervision, and direction of counseling and guidance services at district or county level.
- (e) Coordination, supervision, and direction of certificated personnel providing library services and health services at district or county level.
- (f) Coordination, supervision, and direction of those activities connected with the enforcement of the laws relating to compulsory education and child welfare at the district or county level.
- (g) Coordination, supervision, and direction of testing and research connected with the evaluation and effectiveness of the instructional programs.

80126. Designation of Services Requiring Pupil Personnel Services, Administration or Supervision Authorization.

Pursuant to Education Code Sections 35020, 35300, and 44065, any person initially employed as of July 1, 1979 who is assigned to perform and who does perform one or more or a portion of any of the functions or services included in (a) through (d) for more than one-half of the hours worked by such person in a school year shall possess a valid, current pupil personnel services credential or a credential authorizing administration or supervision.

- (a) Coordination, supervision, and direction of counseling and guidance services at any school.
- (b) Coordination, supervision, and direction of the interpretation of results of state and district testing programs.
- (c) Coordination, supervision, and direction of activities connected with the enforcement of the laws relating to compulsory education and child welfare.
- (d) Coordination and supervision of student co-curricular programs at any school.

80127. Designation of Services Requiring Teaching, Administration or Supervision Credential.

Pursuant to Education Code Sections 35020 and 44065, any person initially employed as of July 1, 1979 who is assigned to perform and who does perform one or more or a portion of any of the functions or services included in (a) through (e) for more than one-half of the hours worked by such person in a school year shall possess a valid, current basic teaching credential as defined in Section 80001 (b) or a credential authorizing administration or supervision:

- (a) Coordination of the work of instructors and instructional programs at any school.
 - (b) Coordination and conducting staff development for certificated personnel at any school.
 - (c) Coordination of the preparation, selection, collection, classification, or demonstration of instructional materials for use in any school.
-
- (d) Coordination of the research and evaluation of the effectiveness of the instructional programs at any school.
 - (e) Coordination of the evaluation of academic achievement of pupils in any school.

(Register 77, No. 51—12-17-77)

(g) **Proposed Decision.** In every contested case, the augmented permit committee, or the presiding officer, as the case may be, shall prepare a Proposed Decision in such form that it may be adopted by the Superintendent of Public Instruction as the decision in the case. A copy of the proposed decision shall be filed by the Superintendent of Public Instruction as a public record and a copy of the Proposed Decision shall be served on each party in the case and his attorney. The Superintendent of Public Instruction may adopt the Proposed Decision in its entirety, or may reduce the proposed sanction and adopt the balance of the Proposed Decision, or may refer the matter back to the augmented permit committee, or the presiding officer, as the case may be, for further proceedings, or may reject the Proposed Decision and decide the case upon the record, and in the latter case, with opportunity being afforded the parties to submit written argument.

**Article 6. Positions Requiring Administrative Credentials
or Supervision Credentials**

80125. Functions of Certain Administrative and Supervisory Positions in School Districts. For the purposes of Education Code Section 44065, and subject to the provisions of Education Code Section 35020, the following positions in a school district maintaining any grade of K through 12 are identified by the functions of the positions:

(a) **Superintendent.** (The term "superintendent," wherever used in this article, includes superintendent of schools, city superintendent of schools, district superintendent of schools, superintendent of schools of a city and county, city superintendent, district superintendent, or superintendent of a city and county.) A position entitled "superintendent" has the following functions in addition to those imposed by Education Code Section 35035: Under the direction of a governing board to assume total responsibility, under such board, to manage and direct all affairs of the school district, including general control of all certificated and classified employees of the district.

(b) **Deputy Superintendent.** (The term "deputy superintendent," wherever used in this article, includes deputy superintendent of schools, deputy city superintendent of schools, deputy district superintendent of schools, deputy superintendent of schools of a city and county, deputy superintendent, deputy city superintendent, deputy district superintendent, or deputy superintendent of a city and county.) A position entitled "deputy superintendent," except when the person is employed in a purely clerical capacity, has the following functions:

(1) To perform such administrative duties as the superintendent may direct.

(2) To act as the superintendent during the superintendent's absence from the district and during any incapacity of the superintendent to serve.

(c) **Deputy Superintendent (Purely Clerical Capacity).** A position bearing any title described in (b) which is followed by the phrase "(Purely Clerical Capacity)" has the function to perform purely clerical services only, as the superintendent may direct. No credential whatsoever is required for this position (See Education Code Section 35028).

(d) **Associate or Assistant Superintendent.** (The term "associate superintendent" or "assistant superintendent," wherever used in this article, includes associate or assistant superintendent of schools, associate or assistant city superintendent of schools, associate or assistant district superintendent of schools, associate or assistant superintendent of schools of a city and county, associate or assistant city superintendent, associate or assistant district superintendent, or associate or assistant superintendent of a city and county.) A position entitled "associate superintendent" or "assistant superintendent" has the following functions: To perform such administrative duties (except purely clerical duties) as the superintendent may direct.

(e) **Associate or Assistant Superintendent (Purely Clerical Capacity).** A position bearing any title described in (d) which is followed by the phrase "(Purely Clerical Capacity)" has the function to perform purely clerical services only, as the superintendent may direct. No credential whatsoever is required for the holder of this position (Education Code Section 35028).

(f) **Administrator.** A person entitled "administrator" has the following function: To perform such administrative duties as any person whose title contains the word "superintendent" (other than a person described in (c) or (e)) may direct. Usually these administrative duties will include responsibility for a large unit or section accompanied by an administrative authority less than that of an "associate superintendent" or an "assistant superintendent" but greater than that of a "director."

(g) **Deputy Administrator, et al.** A position entitled "deputy administrator," "associate administrator," or "assistant administrator" has the following functions: To perform such administrative duties as an administrator shall direct.

(h) **Director.** A position entitled "director" (other than "director of nursing," and other than "director of school building planning") has the following functions: To perform such administrative duties with reference only to educational functions and such intermediate administrative duties in a school health program as any person (other than a person described in (c) or (e)) whose title contains the word "superintendent" or "administrator" may direct, as follows:

- (1) In an entire school district or in any portion of a school district.
- (2) At any one or more educational levels.

(i) **Deputy Director, et al.** A position entitled "deputy director," "associate director," or "assistant director" has the following function: To perform such administrative duties as a director may direct.

(Register 77, No. 51—12-17-77)

(j) **Administrative Assistant.** A position entitled "administrative assistant" has the following function: To perform such administrative duties as a person whose title contains the word "superintendent" (other than one described in (c) or (e)) may direct. The position does not entail administrative supervision or authority over a department, area of service, or geographical portion of a school district.

(k) **Supervisor.** A consultant and a coordinator perform the same functions as a supervisor. A position entitled "supervisor," "consultant," or "coordinator" has the following function: To perform under the direction of any person whose title contains the word "superintendent" (other than one described in (c) or (e)), "administrator," "director," or "principal" the following:

(1) Oversee the work of teachers, counselors, or other personnel certificated to render service in public schools, and provide advice to them. Such service may be rendered at one or more schools or offices of the district.

(2) Give expert advice and assistance to school personnel in any subject matter area or in any other area or areas of the affairs of the school district or in the affairs of any one school in a school district.

(3) Harmonize, adjust, and organize school practices and encourage maximum school effectiveness in all schools, or one or more schools of a district.

(l) **Director of Nursing (Education).** A position entitled "director of nursing" has the same functions as a position entitled "supervisor," confined, however, to the field of nursing.

(m) **Principal.** A position entitled "principal" has the following function: To serve, under the governing board when there is no superintendent of the district or when there is a superintendent under the direction of any person (other than a person described in (c) or (e)) whose title contains the word "superintendent," as chief executive officer of one or more schools with total responsibility to manage all affairs of the school, including general control and supervision of all certificated and classified employees assigned to serve in the school.

(n) **Vice-Principal.** A position entitled "vice-principal" or "assistant principal" (including assistant president) has the following functions:

(1) To perform for the principal such duties of the principal as the latter may delegate to him.

(2) To act for the principal during the principal's absence from the school and during any incapacity of the principal to serve.

(o) **Dean.** A position entitled "dean" has the following function: To perform such administrative and supervisory duties in connection with the instructional or guidance program for pupils or employees in positions requiring certification qualifications as the principal, vice-principal, or assistant principal may direct.

(p) **Registrar.** A position entitled "registrar" has the following function: To serve in a junior high or high school under the direction of a principal, vice-principal, or assistant principal, or dean, in the performance of duties in connection with the registration of students and their enrollment in classes, and the keeping of official records of students' performance and other records of students, including cumulative records unless the principal of the school authorizes such cumulative records to be kept by other school personnel.

NOTE: Authority cited for Article 6: Section 44065, Education Code.

History: 1. Amendment and renumbering of Part I, Division 6, Chapter 6, Article 1 (Sections 5800-5802) to Part VIII, Chapter 1, Article 6 (Sections 80125-80127), filed 12-16-77; effective thirtieth day thereafter (Register 77, No. 51). For prior history see Register 69, No. 39.

80126. Other Position Titles Authorized. A school district shall entitle any position the functions of which are the same or comparable to one of the positions described in Sections 80125 or 80127 by the name of the described position, except that with the express approval of the State Board of Education, the district may specify a different title and except that appropriate phrases, such as "assistant superintendent in charge of _____" or "supervisor of _____" may be added. Except as provided in Education Code Section 35030, a school district may not use any title set forth in Section 80125 for a position, the functions of which are not the same or comparable to the functions of a position described in Section 80125.

80127. Credentials Required for Certain Administrative or Supervisory Positions. (a) For purposes of this section and Education Code Section 44065:

- (1) "Credential" includes life diploma.
- (2) An Administration Credential which authorizes supervision is deemed to be a Supervision Credential.
- (3) Any Teaching or Service Credential which authorizes service as a Principal or authorizes supervision is deemed to be a Supervision Credential.
- (4) A position as head of a department is deemed a teaching position.
- (5) A position entitled "business manager" does not require a credential.

(6) "Appropriate" means that the authorization for service specified in the credential held includes the service to be performed, and that the educational level of the position is the level at which the credential authorizes the service. To supervise instruction, or to supervise health services, pupil personnel services, or library services, or to serve as an administrator in these areas, a person shall hold, in addition to the Supervision or Administration Credential, a credential authorizing teaching or service in the area in which the supervision will be performed.

(b) The following nonteaching positions in a school district require an appropriate Administration Credential:

(Register 77, No. 51—12-17-77)

(1) Any position the title of which includes the word "superintendent" (other than one described in Section 80125(c) or (e)).

(2) Director of any function, except a director of school health services, director of pupil personnel services, director of library services, or director of vocational trade and technical education, and industrial education. ("Director" includes deputy director, associate director, and assistant director.)

(3) Administrator of any function, except an administrator of health services, an administrator of pupil personnel services, an administrator of library services, or an administrator of vocational trade and technical education, and industrial education. ("Administrator" includes deputy administrator, associate administrator, and assistant administrator.)

(4) Such additional positions as the Board shall, from time to time, specify.

(c) Any other nonteaching position in a school district that is described in Education Code Section 44065 requires either an appropriate Administration Credential or an appropriate Supervision Credential.

(d) In accordance with Education Code Section, the Board prescribes that the following nonteaching positions, in addition to the nonteaching positions included within (b) or (c), require either an appropriate Administration Credential or an appropriate Supervision Credential:

(1) Principal, except a substitute principal acting pursuant to Education Code Section 44861.

(2) Vice-principal.

(3) Assistant principal.

(4) Supervisor (including consultant and coordinator).

(5) Dean.

(6) Registrar.

(7) A position the duties of which are any of the following:

(A) Administer, supervise, coordinate, or direct the following: The production, evaluation, distribution, or instruction in the use of instructional aids; including audiovisual, electronic, or other modern educational media.

(B) Administer or arrange teachers' institutes.

(8) Such additional positions as the Board shall from time to time specify.

Article 7. Code of Ethics of the Teaching Profession

80130. Preamble. The educator believes in the worth and dignity of human beings. The educator recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic citizenship. The educator regards as essential to these goals the protection of freedom to learn and to teach, and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to practice the profession according to the highest ethical standards.

The educator recognizes the magnitude of the responsibility being accepted in choosing a career in education, and engages individually and collectively with other educators to judge colleagues, and to be judged by them, in accordance with the provisions of this code.