STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor

COMMISSION FOR TEACHER PREPARATION AND LICENSING
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SACRAMENTO, CALIFORNIA 95814
(916)445-0184
OFFICE OF THE EXECUTIVE SECRETARY

July 14, 1981

81-8200

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

FROM: John F. Brown, Executive Secretary

SUBJECT: August 6, 1981 Public Hearing to Review Title 5 Regulations

As previously announced (Coded Correspondence #80-8129, dated June 10, 1981), the Commission for Teacher Preparation and Licensing has scheduled five (5) public hearings to review its Title 5 Regulations in accordance with AB 1111. This recently enacted legislation requires state agencies to conduct a comprehensive review of all regulations added to the California Administrative Code prior to July 1, 1980.

Each regulation is to be analyzed and assessed against five specific standards: Necessity, authority, clarity, consistency and reference (see page 3 for definitions of these standards).

As a result of the review, the Commission will ascertain which of its regulations do or do not meet the five standards. The Commission will then state its intent to retain those regulations that do meet standards, or its intent to amend or repeal those regulations that do not meet standards. Action to actually amend or repeal any regulation would not be taken without holding a subsequent public hearing for that specific purpose.

The affected Commission regulations have been divided into five groups. A different group of regulations will be reviewed at each of the five public hearings. The first of these public hearings will be held on August 6, 1981 at the Mansion Inn, 700 16th Street, in Sacramento, California at 1:30 p.m.

The purpose of this coded correspondence is to provide you with an initial review conducted by Commission staff of each regulation to be considered at the August public hearing. It is hoped that this information will better enable you to both address the potential discrepancies identified by Commission staff and to provide input independent of the staff review.

The public is invited to participate in the review process and is encouraged to present information, pro or con, orally or in writing, relevant to the regulations under review at the public hearing.

If you wish to make an oral presentation regarding any of the regulations being reviewed, please bring 30 copies of your material for distribution to the Commissioners and staff. If you can provide your statement to the Commission Office 15 days before the public hearing, sufficient copies of the material will be duplicated and distributed for Commission and staff use. We would also appreciate a call to the Commission Office, (916) 445-0184, if you plan to make a presentation in order to schedule time on the agenda for people who wish to address the Commission.

Written statements should be submitted on the attached Review Response Form at least 15 days prior to the public hearing, when that particular regulation is scheduled for review.

Any questions regarding this review should be directed to Lee Huddy at (916) 445-6772.

Attachments

CRITERIA FOR REVIEW OF TITLE 5 REGULATIONS

Government Code Section 11349 defines the standards as follows:

(a) "Necessity" means the need for a regulation as demonstrated in the record of the rulemaking proceeding. Section 11342.2 of the Administrative Code states that the purpose of adopting regulations is "...to implement, interpret, make specific or otherwise carry out the provisions of the statute..." and that "...no regulation adopted is valid or effective unless...reasonably necessary to effectuate the purpose of the statute."

(b) "Authority" means the provision of law which permits or obligates the agency to adopt, amend or repeal a regulation.

(c) "Clarity" means written or displayed so that the meaning of regulations will be easily understood by those persons directly affected by them.

(d) "Consistency" means being in harmony with, and not in conflict with or contradictory to, existing laws.

(e) "Reference" means the statute, court decision or other provisions of law which the agency implements, interprets or makes specific by adopting, amending or repealing a regulation.

Commission for Teacher Preparation and Licensing
1020 O Street, Room 222, Sacramento, California

REVIEW RESPONSE FORM - REGULATIONS TO BE REVIEWED
AT THE PUBLIC HEARING ON AUGUST 6, 1981

So that the Commission for Teacher Preparation and Licensing can more clearly estimate the general field response to the attached Title 5 Regulations which are scheduled for review, please return this form to the Commission Office at the above address by July 22, 1981.

1. ☐ The following Title 5 Regulations should be amended: (Include the following information: Section number of the regulation; brief description of the recommended amendment; statement of facts to support your recommendation; and the specific standards (necessity, authority, clarity, consistency and reference) that the regulation does not meet.)

2. ☐ The following Title 5 Regulations should be repealed: (Include the following information: Section number of the regulation; statement of facts to support your recommendation; and the specific standards (necessity, authority, clarity, consistency and reference) that the regulation does not meet.)

over

2. (continued)

3. ☐ Personal Opinion of the undersigned only.

☐ Organization opinion (please specify) _____

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.

_____ _____
Name (Print or Type) Date

Title _____

Representing _____

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80000. Scope. The provisions of the subchapter shall apply to all credentials, life diplomas, and certificates of any kind issued after February 1, 1973, pursuant to the provisions of the Teacher Preparation and Licensing Law of 1970. NOTE: Authority cited for Section 80000: Sections 44232, 44254, 44263, 44342, and 44343, Education Code. HISTORY: 1. Amendment and renumbering of Part I, Division 7, Subchapter 17, Article 1 (Sections 5900–5903.2) to Part VIII, Chapter 1, Article 1 (Sections 80000–80006), filed 12-16-77; effective thirtieth day thereafter (Register 77, No. 51). For prior history see Registers 76, No. 12 and No. 5; Register 74, No. 51; and Register 73, No. 26.	Repeal	Not Necessary. E.C. 44202 already makes clear the scope of the Commission's authority.
80000.1. Continuation of Rights. (a) No action or proceeding commenced before the effective date of this section, and no right accrued, is affected by the provisions of Chapters 2–6 of this part, but all procedure thereafter taken shall conform to the provisions of these chapters so far as possible. (b) No rights given by any credential under any section repealed by these regulations are affected by the enactment of Chapters 2–6 of this part or by such repeal, but such rights shall hereafter be exercised according to the provisions of this part. (c) All persons who, at the effective date of this section, are entitled to a credential under any section repealed by these regulations, are thereby entitled to a credential under the provisions of these regulations so far as the provisions of these regulations are applicable. NOTE: Authority cited: Section 44225, Education Code. HISTORY: 1. New section filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2).	Repeal	Not Necessary. E.C. 44342 and 44343 already make clear the continuing rights of individuals.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
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 for Teacher Preparation and Licensing as constituted under Education Code Section 44210. (e) "Credential" means any credential, life diploma, permit, 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. (f) "Degree" means a baccalaureate or higher degree as specified in Education Code Section 44259(a) 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" means the Executive Secretary 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 the Commission. NOTE: Authority cited: Section 44225, Education Code. HISTORY: 1. Amendment filed 5-30-78; effective thirtieth day thereafter (Register 78, No. 22). 2. Amendment filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2).	Retain	Needed to provide clarity to the use of these terms in Part VIII. Add E.C. 44218, 44210, and 44259(a) as references.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80002. Issuance of Prior Credentials. Pursuant to Education Code Section 44342, the Commission will issue, until September 15, 1974, a prior credential on an initial basis to any person who qualifies under the law operative, and the rules and regulations in effect, on December 31, 1971, and after September 15, 1974, on a renewal basis only, except as otherwise provided in Education Code Sections 44343 and 44344 of the law, and in specific cases by approval of the Commission in its meeting minutes when, through no fault of the person, the person would be adversely affected by the Teacher Preparation and Licensing Law of 1970. **NOTE:** Authority cited: Section 44225, Education Code.	Repeal	Not Necessary. E.C. 44344 already specifies conditions for issuance of prior credentials.
80005. Subsumed Subjects. The statutory single subjects (Education Code Section 44282), along with the subsumed subjects are: (a) Agriculture. Subsumed thereunder are: animal science, conservation, forestry, horticulture, management, mechanics, plant science, and other courses of which the content and prerequisites are related to agriculture. (b) Art. Subsumed thereunder are: arts and crafts, ceramics, commercial art, costume design, crafts, design, drawing and painting, history, appreciation and theory, illustration (including cartooning), interior decoration, jewelry, leathermaking, photography, sculpture, stagecraft, and other courses of which the content and prerequisites are related to art. (c) Business. Subsumed thereunder are: bookkeeping, business education, business English, business law, business machines, business mathematics, consumer problems, data processing, distributive education, economics, secretarial/stenographic, typing, and other courses of which the content and prerequisites are related to business. (d) English. Subsumed thereunder are: composition, creative writing, debate, drama, forensics, humanities, journalism, language, arts, literature, play production, public speaking, newspaper staff, speech (oral communication), theater arts, writing, and other courses of which the content and prerequisites are related to English. (e) Languages. Including, but not limited to, French, Spanish, Russian, German, and Chinese. (f) Government. Subsumed thereunder are: American government and politics, comparative government, international politics, law, political philosophy, and other courses of which the content and prerequisites are related to government. (g) History. Subsumed thereunder are: European history, United States history, world history, and other courses of which the content and prerequisites are related to history.	Retain	Necessary to carry out mandate of E.C. 44282. Delete reference to E.C. 44256.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE

80005. Subsumed Subjects. (Continued)

(h) Home Economics. Subsumed thereunder are: consumer mathematics, consumer problems, family life, foods and nutrition, homemaking, home management and family economics, housing, human development and the family, modern hostess, family health, personal grooming, sewing, textiles and clothing, occupational education, and other courses of which the content and prerequisites are related to home economics.

(i) Industrial Arts. Subsumed thereunder are: automotive mechanics/power mechanics, drafting, electricity, electronics, graphic arts, industrial crafts, industrial design, industrial shop mathematics, metals, plastics, radio, stagecraft, technical science/power mechanics, woods, photography, and other courses of which the content and prerequisites are related to industrial arts.

(j) Life Science. Subsumed thereunder are: biology, botany, general science, health science, physiology, plant science, zoology, and other courses of which the content and prerequisites are related to life science.

(k) Mathematics. Subsumed thereunder are: algebra, business mathematics, consumer mathematics, geometry, industrial shop mathematics, statics and probability, number systems, mathematical analysis, computer science, trigonometry, and other courses of which the content and prerequisites are related to mathematics.

(*l*) Music. Subsumed thereunder are: instrumental, theory and appreciation, vocal, and other courses of which the content and prerequisites are related to music.

(m) Physical Education. Subsumed thereunder are: aquatics, body dynamics, dance, gymnastics, health education, interscholastic sports, sports, and other courses of which the content and prerequisites are related to physical education.

(n) Physical Science. Subsumed thereunder are: astronomy, chemistry, earth science, general science, geology, physics, and other courses of which the content and prerequisites are related to physical science.

(o) Social Science. Subsumed thereunder are: anthropology, economics, geography, government, history, humanities/cultural studies, law, psychology, sociology, world affairs, and other courses of which the content and prerequisites are related to social science.

These titles are descriptive only and are not an exhaustive listing of courses which may be taught by holders of the credential. They are intended to indicate the teaching parameters authorized by a credential in a single subject category.

NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44256 and 44282, Education Code.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80006. Reading Instruction. Reading may be taught by Single Subject Credential holders in the context of their subject authorization (e.g. reading in social science, reading in English, reading in physical sciences). Holders of the Single Subject Teaching Credential must hold the Specialist Instruction Credential in Reading in order to teach remedial and other specialized reading courses. NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44256 and 44282, Education Code.	Repeal	No specific statutory authority for the Commission to determine what is in effect the assignment of a teacher.
80025.1. Temporary County Certificate. An application for a Temporary County Certificate shall be made on an application provided by the Commission for Teacher Preparation and Licensing. It is to be used when dates of employment are known, if the candidate's salary is being withheld because a credential has not yet been filed in the county and/or district office. The completed Temporary County Certificate application may serve the district or county as the Temporary County Certificate. NOTE: Authority cited: Section 44225(b), Education Code. Reference: Sections 44232, 44245, 44263, 44332, and 44342, Education Code. HISTORY: 1. New section filed 11-6-78; effective thirtieth day thereafter (Register 78, No. 45).	Repeal	No specific statutory authority for the Commission to specify the contents of an application for a TCC.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80032.2. Special Education Training for Teachers and Administrators. (a) The Special Education training requirement specified in Section 67.5 of Chapter 1247 of the Statutes of 1977 shall be required of each applicant for a clear Multiple or Single Subject teaching credential or an Administrative Services credential issued in accordance with the provisions of Section 44259 of the Education Code. This requirement may be satisfied by a course of study, which may be offered or accepted by an approved college or university. The college or university recommending the applicant for a clear Multiple or Single Subject teaching credential or Administrative Services credential shall submit a plan for Commission approval indicating how this requirement will be met. Each plan submitted to the Commission shall include but not be limited to the following: (1) A description of the program elements which lead to the demonstration of the knowledge and skills as provided herein; (2) A description of how such program elements relate to each specified knowledge and skill area for each credential; (3) A description of the specific program options available to each candidate for acquiring the knowledge and skills; (4) Provisions for giving credit or establishing equivalency toward completion of this requirement in the form of in-service training, work taken for credit at other institutions, including out-of-state institutions, or a combination of these or other options. (b) After July 1, 1979 no institutional recommendation shall be issued for the clear Multiple or Single Subject teaching credential unless the recommending institution has presented evidence that the candidate has completed a program preparing the individual to: (1) Recognize children's academic strengths and weaknesses, perceptual characteristics, and preferred learning modalities (i.e., auditory, visual, kinesthetic) through formal and informal assessment procedures appropriate for classroom teachers to administer; (2) Be able to assess the characteristics and behavior of exceptional pupils in terms of program and developmental needs; (3) Recognize the differences and similarities of exceptional and non-exceptional pupils; (4) Analyze non-discriminatory assessment including a sensitivity to cultural and linguistic factors;	Retain	Necessary to implement Section 67.5 of Chapter 1247 of the Statutes of 1977 requiring special education training. Add E.C. 44225 as authority cited, and Section 67.5 of Chapter 1247 of the Statutes of 1977 as reference.

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE

80032.2 Special Education Training for Teachers and Administrators. (Cont.)

(5) Produce and evaluate short- and long-term educational objectives for regular classroom aspects of the Individualized Education Program goals;
(6) Utilize various diagnostic/prescriptive materials and procedures in reading, language arts, math, and perceptual-motor development, when appropriate;
(7) Apply diagnostic information toward the modification of traditional school curriculum and materials for selected children;
(8) Identify and teach non-academic areas, i.e., socialization skills, career and vocational education;
(9) Promote pupil growth in the affective domain and in inter-personal relationships;
(10) Be able to communicate appropriate information in a positive manner to other professionals and to parents;
(11) Understand current legislation dealing with Special Education, including the concept of least restrictive environment, and due process for parents and teachers.
(c) After July 1, 1979 no institutional recommendation shall be issued for the Administrative Services credential unless the recommending institution has presented evidence, consistent with its approved plan, that the candidate has completed a program preparing the individual to:
(1) Be able to assess the characteristics and behavior of exceptional pupils in terms of program and developmental needs;
(2) Recognize the differences and similarities of exceptional and non-exceptional pupils;
(3) Analyze non-discriminatory assessment including a sensitivity to cultural and linguistic factors;

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80033. Ryan Life Credentials. Teaching and services credentials may be issued for life on receipt of a complete application including verification of two years of full-time teaching or other certificated service rendered on the basis of the clear credential under consideration. Teaching or other certificated service shall be acceptable for this requirement when the employment was in a position generally requiring the type of credential under consideration. Full-time service on the basis of a services credential which is dependent upon a teaching credential shall be acceptable for either credential. Teaching experience shall be acceptable only for meeting this requirement for teaching credentials. Teaching or service experience in a California private school will be accepted on the same basis as public school experience if such private school offered and the applicant provided instruction which exempted students from the requirements of attendance upon a public full-time day school pursuant to Section 48222. NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44255, Education Code. HISTORY: 1. Repealer and new section filed 9-27-79; effective thirtieth day thereafter (Register 79, No. 39.)	Amend - Change title to "Life Credentials". Add provision for acceptance of experience earned on the basis of a teaching credential which is dependent on a teaching credential to apply toward both credentials.	Section pertains to all credentials issued for life, not just "Ryan". Regulation appears to assume that only services credentials are dependent on teaching credentials.
80034. Designated Subjects Teaching Credential. An application for the Designated Subjects Teaching Credential shall be submitted through a local education agency on forms provided by the Commission for Teacher Preparation and Licensing. The local education agency is defined as follows: (1) A California public school district; (2) A California county superintendent of schools; (3) A California regional occupation program or center: (4) A California State agency; (5) A California-approved teacher preparation institution. NOTE: Authority cited: Sections 44225, 44252, and 44348, Education Code. Reference: Section 44260, Education Code.	Retain	Needed to implement E.C. 44260. Delete E.C. 44348 as Authority cited.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80035. Prerequisite to Issuance of Credential. (a) A local education agency desiring to develop a program for the Designated Subjects Teaching Credential and for the authorization to supervise and coordinate Designated Subjects Programs shall file with the Commission for Teacher Preparation and Licensing a program approval review document. The document shall contain all of the following: (1) A transmittal letter from the Chief Administrative Officer of the local education agency acknowledging his approval of the program. (2) Program goals. (3) A brief description of the program to include the name of the cooperating institution or agency, program plans and personnel selection procedure, personalized in-service training plans and time blocks. Sequences of experiences for the various types of teachers should be outlined. A local education agency may endorse a program or programs offered by an approved teacher preparation institution. In such case, the approved teacher preparation institution may submit the program design. (4) Means by which the program goals are to be achieved. (5) Evaluation design and means. (6) Plans for future program revision and development. (b) The Commission will approve programs after the review of the Program Approval Review Document, when such document reflects that the program submitted by the local education agency meets the intent of these guidelines. Programs will be audited by the Commission to determine if the guidelines are being followed. Individualized programs will be approved and the Preliminary Designated Subjects Teaching Credential granted when the approved program plan has been, or is being, followed or when a justification for deviance from the program plan is submitted with the application. NOTE: Authority cited: Section 44225, Education Code.	Amend - Delete Supervision and Coordination. Add E.C. 44252 as authority cited. Add E.C. 44260 as Reference.	No Specific statutory authority.
80036. Specific Requirements. The specific requirements for the Designated Subjects Teaching Credential, pursuant to Education Code Section 44260, are all of the requirements of either (a) or (b): (a) Full-Time Teaching. All of the following: (1) Possession of a high school diploma or the passage of an equivalency examination as designated by the Commission.		

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80036. Specific Requirements. (continued) (2) Adequate, successful, and recent experience in the technical skill, trade, vocation, or non-vocational subject named on the credential with a minimum equivalent to five years experience. One year of the required experience shall be within the three-year period immediately preceding the issuance of the credential. Work experience is defined as paid work experience or its equivalent, except that there shall be no equivalency for paid work experience for instructors of apprenticeship classes.	Amend - Delete "non-vocational.	No specific statutory authority.
Qualifying Experience Shall be One of the Following		
Education and/or Training — *Years of Work Experience Required*	Re-write experience combinations to total 5 years.	Required by law.
High school diploma or equivalent ..... +5 years or One year of occupational preparation appropriate or related to teaching field ..... +4 years or Two years of occupational preparation appropriate or related to teaching field ..... +3 years or Three years of occupational preparation appropriate or related to teaching field ..... +2 years or Baccalaureate degree with a major in or related to teaching field ..... +2 years or Completion of an apprentice indentureship or similar program in accordance with industry and labor standards. There shall be no academic equivalency for paid work experience for instructors of apprenticeship classes ..... +2 years or For driver education and driver training, a bachelor's degree, including a minimum of twelve semester hours of course work related to the subject to be taught, provided that this paragraph shall not be construed to limit the amount or type of qualifying experience which shall be required for driver education and driver training ..... +0 years	Change requirements for Driver Education	Statutes do not require BA. Experience combination does not total 5 years as required by law.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80036. Specific Requirements. (continued) (3) An examination approved by the Commission may be required to demonstrate satisfactory evidence that the skills and knowledge of the course or skill to be taught are possessed by the candidate. When an occupation, profession, or activity requires a State or Federal license, or registration which requires an examination to perform the duties required, the possession of such license or registration may be accepted as evidence of subject matter proficiency.	Delete examination provision.	CTPL has no designated subjects examinations.
(4) The local education agency shall arrange for a program of personalized in-service training which will develop in candidates understandings and demonstrable competencies to include a minimum of nine semester units, or 135 clock hours, or the equivalent. The following components shall be included in a personalized in-service training program submitted for Commission approval. Provision for the development of understandings and competencies including, but not limited to, the following: (A) Knowledge of cultural differences in students and communities. (B) The learning process. (C) Instructional techniques. (D) Curriculum and media. (E) Instructional evaluation. (F) Supervised field experience. (G) Principles and practices. (H) Scope and function. (I) Counseling and guidance. (J) Community and occupational relationships. (K) Special needs of students. (L) Student work experience programs. (M) Intracurricular student leadership development. (N) Organized activities designed to improve the candidate's academic or occupational deficiencies. (O) Evaluation of student achievement.	Change "arrange for a program" to completion of a program.	Statutes require completion of program. No statutory authority for preliminary designated subjects.
(5) For driver education and driver training classes, the credential applicant shall have a satisfactory driving record for the three years immediately preceding receipt of the credential application.	Delete provision for satisfactory driving record for Driver Education & training.	Not necessary. E.C. 44345, as amended by chapter 662, 1979 (Berman) sets standards for evaluation of conduct. No special character standard is required.
(6) Satisfactory completion of two semester units of work on the provisions and principles of the U.S. Constitution as required in Section 44335 of the Education Code, where a candidate has neither passed an examination dealing with this subject as specified in Section 44335 of the Education Code nor obtained a preliminary credential pending completion of the examination requirement specified in Section 44253 of the Education Code.		

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80036. Specific requirements. (continued) (b) Part-Time Teaching. All of the following: (1) The education, experience, and examination described in (1), (2), (3), (5), and (6) of Section (a). (2) A program of personalized in-service training, arranged for by the local education agency, which will develop in candidates understandings and demonstrable competencies to include a minimum of four semester units, or 60 clock hours, or the equivalent. The personalized in-service training program shall be submitted to the Commission for approval and need not include all, nor is it limited to, the elements described in (4), Section (a) of 80036. NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44260, Education Code. HISTORY: 1. Amendment of subsection (a) (2) filed 6-5-79; effective thirtieth day thereafter (Register 79, No. 23).	Delete part-time credential.	No specific statutory authority.
	Add Health Education requirement. Add E.C. 44252 as authority cited. Add E.C. 44335 as reference.	Required by E.C. 44261.
80037. Authorization for Service. (a) Full Time. The credential issued pursuant to subsection (a) of Section 80036 shall authorize the holder to teach in the subject or trade in which the applicant has demonstrated competency, and at such grade level as approved by the Commission and designated on the credential in kindergarten and grades one through twelve, including classes for adults. (b) Part Time. The credential issued pursuant to subsection (b) of Section 80036 shall authorize the holder to teach in the subject or trade in which the applicant has demonstrated competency, and at such grade level as approved by the Commission and designated on the credential under an assignment of not more than one-half of a full-time teaching assignment in kindergarten and grades one through twelve, including classes for adults. NOTE: Authority cited: Section 44225, Education Code.	Amend - Delete classes for adults from full time authorization. Delete part-time authorization. Add E.C. 44260 as reference.	No specific statutory authority. No specific statutory authority.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80038. Preliminary Credential for Full Time Service. (a) A preliminary credential shall be issued for not more than five years to an applicant who has fulfilled all of the following requirements: (1) The education, experience, and examination described in Section 80036(a), (1), (2), and (3). (2) Recommendation by an official of a local education agency whose program for this credential has been approved by the Commission for Teacher Preparation and Licensing. (b) Upon completion of the personalized in-service training program, and upon satisfying the Commission that the person is otherwise qualified, the holder of the preliminary credential or other applicant shall be issued a Designated Subjects Teaching Credential for full time service. (c) The Designated Subjects Teaching Credential for full time service shall be issued for five years. **NOTE:** Authority cited: Section 44225, Education Code.	Repeal	No specific statutory authority for preliminary Designated Subjects credential (except one-year preliminary - lacks U.S. Constitution).
80039. Preliminary Credential for Part Time Service. (a) A preliminary credential shall be issued for not more than five years to an applicant who has fulfilled all of the following requirements: (1) The education, experience, and examination described in Section 80036(a), (1), (2), and (3). (2) Recommendation by an official of a local education agency whose program for this credential has been approved by the Commission for Teacher Preparation and Licensing. (b) Upon completion of the personalized in-service training program, and upon satisfying the Commission that the person is otherwise qualified, the holder of the preliminary credential, or other applicant, shall be issued a Designated Subjects Teaching Credential for part time service. (c) The Designated Subjects Teaching Credential for part time service shall be issued for five years. **NOTE:** Authority cited: Section 44225, Education Code.	Repeal	No specific statutory authority for preliminary or part-time Designated Subjects credentials.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80040. Authorization for Supervision and Coordination of Designated Subjects Programs. Upon recommendation of an approved local education agency, an authorization to supervise and coordinate designated subjects programs may be added by the Commission for Teacher Preparation and Licensing to the credential of a teacher authorized to teach a vocational education subject or a nonvocational subject. (a) Minimum Requirements. The minimum requirements to be granted authorization to supervise and coordinate designated subjects programs under the terms of this section shall be either (1) or (2) as appropriate: (1) Vocational Education Programs. All of the following: (A) Possession of, or eligibility for, a clear credential authorizing the holder to teach vocational education subject. (B) Three years of full-time classroom teaching experience (or its equivalent) in the subject titled on the teaching credential. (C) Completion of, or enrollment in, an approved program of personalized in-service preparation in supervision and coordination as defined below. (2) Nonvocational Programs. All of the following: (A) Possession of, or eligibility for, a clear credential authorizing the holder to teach a nonvocational subject. (B) The experience and education described in (B) and (C) of subsection (a) (1). (b) Personalized In-Service Training. The local education agency shall arrange for a program of personalized in-service training which will develop in candidates understandings and demonstrable competencies to include a minimum of six semester units, or 90 clock hours, or the equivalent. The following components shall be included in a personalized in-service training program submitted for Commission approval: (1) Advanced knowledge of the purposes, characteristics, and activities of vocational and/or nonvocational designated subjects programs. (2) Planning, organization, and management of designated subjects programs which may include, but not be limited to: (A) facility planning, (B) conference leadership, (C) community relations and advisory processes, (D) program evaluation, (E) advanced principles of student leadership and development. (3) Personnel policy development and administration which may include,	Repeal	No Specific statutory authority for supervision and coordination of Designated Subjects programs.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80040. Authorization for Supervision and Coordination of Designated Subjects Programs. (continued) but not be limited to: (A) selection, (B) evaluation, (C) staff development, (D) human relations, (E) supervision. (4) Fiscal and regulatory concepts related to designated subjects programs which may include, but not be limited to: (A) budgeting, (B) legislation, (C) school law, (D) intra- and interagency relations, (E) funding sources. (c) Authorization. (1) Vocational education. Possession of the supervision and coordination authorization for vocational education shall authorize the holder to supervise and coordinate vocational education subjects including, but not limited to, vocational trade and technical, vocational business, vocational agriculture, and occupational homemaking education. (2) Nonvocational education subjects. Possession of supervision and coordination authorization for nonvocational education shall authorize the holder to supervise and coordinate nonvocational subjects including, but not limited to, adult education, driver training and driver education, military drill, Reserve Officer Training Corps, and aviation subjects. NOTE: Authority cited: Section 44225, Education Code.		
80041. Types of Designated Subjects Credentials for Adult Education. (a) Regular: authorizing full- and part-time teaching of the subject(s) cited on the credential. (b) Limited: authorizing teaching of the subject(s) cited on the credential to a maximum of 120 hours per academic year. NOTE: Authority cited: Sections 44225 and 44225(b), Education Code. Reference: Sections 44259 and 44260, Education Code. HISTORY: 1. Amendment filed 11-6-78; effective thirtieth day thereafter (Register 78, No. 45). 2. Repealer and new section filed 6-5-79; effective thirtieth day thereafter (Register 79, No. 23).	Repeal	No specific statutory authority for Designated Subjects credential for Adult Education.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80041.1. Terms and Requirements for Issuance. (a) Regular Credentials (1) A preliminary regular Designated Subjects credential for Adult Education shall be issued to an applicant and be valid for five years from date of issuance upon the recommendation of an authorized person, as defined in subsection 80041.3(c), who verifies that the following requirements have been satisfied: (A) the specific requirements relating to qualifying education and/or experience as contained in Tables I and/or II of subsection 80041.3(a) of these regulations. (B) completion of the U.S. Constitution requirement pursuant to Education Code 44335. (C) a personalized preparation and training program pursuant to subsection 80041.3(b) of these regulations has been arranged for the applicant. (2) A clear regular Designated Subjects credential for Adult Education shall be issued to a qualified applicant and be valid for a period of five years from date of issuance upon the recommendation of an authorized official of a local education agency or employing school district who verifies (A) or (B) as they pertain to the applicant: (A) Achievement of competencies as provided in subsection 80041.3(b) of these regulations, of which nine semester units or equivalent shall be satisfied by and/or through an approved local education agency (LEA) (including but not limited to course work taken at an accredited four-year institution of higher education), and that the applicant is otherwise qualified. (B) Possession of a valid clear community college credential which authorizes the applicant to teach the subject(s) cited on the credential in classes organized primarily for adults, provided that the credential holder has had a minimum of 240 hours of classroom teaching experience in the cited subject in classes under the jurisdiction of a California community college and who satisfies the qualifying education and/or experience requirements specified in Tables I and/or II, and is otherwise qualified.	Repeal	No specific statutory authority for Designated Subjects credential for Adult Education.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80041.1. Terms and Requirements for Issuance (Continued) (b) Limited Credentials (1) A limited Designated Subjects credential for Adult Education shall be valid for a period of five years, shall not be renewable, and shall be issued upon application on behalf of an applicant by the employing school district (ESD), subject to the following conditions: (A) The applicant has fulfilled the specific requirements for education and/or experience and/or examination requirements described in Tables I and/or II of these regulations. (B) The credential authorization shall be limited to teaching a maximum of 120 hours during any school year. (C) An applicant shall have the recommendation of the employing school district attesting to the special fitness of the candidate to teach the designated subject(s) cited on the credential. (D) The applicant is certified to be otherwise qualified. NOTE: Authority cited: Sections 44225 and 44225(b), Education Code. Reference: Sections 44259 and 44260, Education Code. HISTORY: 1. New section filed 6-5-79; effective thirtieth day thereafter (Register 79, No. 23).		
80041.2. Authorization for Service. (a) Regular: The regular Designated Subjects credential for Adult Education shall authorize the holder to teach in classes organized primarily for adults the subject(s) designated on the credential. (b) Limited: The credential issued shall authorize the holder to teach for a total not to exceed 120 hours per academic year in classes organized primarily for adults the subject(s) designated on the credential. NOTE: Authority cited: Sections 44225 and 44225(b), Education Code. Reference: Sections 44259 and 44260, Education Code. HISTORY: 1. New section filed 6-5-79; effective thirtieth day thereafter (Register 79, No. 23).	Repeal	No specific statutory authority for Designated Subjects credential for Adult Education.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80041.3. Requirements for the Credential. (a) Specific Requirements: The specific requirements for the preliminary and/or clear Designated Subjects credential for Adult Education are all of the following: (1) Possession of a high school diploma or the passage of an equivalenc examination or other procedure as designated by the Commission. (2) Adequate preparation and/or recent experience in the subject(s) named on the credential, with a minimum equivalent to five years of education and/or experience. "Experience" is defined as paid work or its equivalent; "education" is defined as regular course work successfully completed at an accredited institution of higher education, or equivalent and/or defined in Tables I and II. (3) Adequate proficiency in the subject or skill to be taught as provided in Tables I and II. (A) When an occupation, profession, or activity requires a state or federal license or registration which requires an examination to perform the duties required, the possession of such a license or registration may be accepted as evidence of subject matter proficiency. (B) For subject areas not covered by an approved license or registration, other proof of subject matter competency shall be required. Documentation produced by individuals informed of the subject area, performance skill and/or knowledge of the candidate, or other systematic means of validation developed by an LEA/ESD in consultation with knowledgeable representatives of the subjects involved, may provide such proof, subject to approval of the validation process by the Commission. Qualifying Education and/or Experience Shall be One of the Following: Table I For Other Than Academic Subjects:	Repeal	No specific statutory authority for Designated Subjects credential for Adult Education.

Education and/or Training	*Years of Subject-Related Experience Required*
High School Diploma or equivalent	+ 5 years
One year of subject-related education appropriate or related to teaching field	+ 4 years
Two years of subject-related education appropriate or related to teaching field	+ 3 years
Three years of subject-related education appropriate or related to teaching field	+ 2 years
Baccalaureate degree, and with subject matter in the field to be taught verified by at least one of the following:	+ 0 years
Completion of 20 semester units or 10 upper division semester units in the subject to be taught.	

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE

80041.3. Requirements for the Credential (Continued).

Table II

For Academic Subjects:

Education and/or Training	*Years of Subject-Related Experience Required*
Baccalaureate degree, and with subject matter in the field to be taught verified by at least one of the following: ..... Completion of 20 semester units or 10 upper division semester units in the subject to be taught.	+ 0 years
Academic subjects shall include but not be limited to: English, Mathematics, Social Science, Physical and Life Science	+ 0 years

(b) Requirements for the Personalized Preparation and Training Program for the Clear Regular Designated Subjects Credential for Adult Education

(1) A local education agency (LEA) or employing school district (ESD) shall be authorized to recommend issuance of the clear regular credential following verification as herein provided of a personalized preparation and training program which has developed in candidates understandings and demonstrable competencies, to include a minimum of nine (9) semester units or the equivalent. Such program for the individual candidate shall be highly personalized and may include but not be limited to the competencies in the design of a personalized preparation and training program contained in subsection (2) following.

(2) Understandings and Competencies for Programs of Personalized Preparation and Training

Personalized preparation and training programs in the amount of nine (9) semester units, or equivalent, approved by the Commission shall have provisions for the development of understandings and competencies including, but not limited to, the following:

(A) Knowledge of cultural differences in students and communities.
(B) The learning process.
(C) Instructional techniques, including media.
(D) Curriculum.
(E) Evaluation techniques.
(F) Supervised field experiences.
(G) Scope and function of Adult Education.

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE

80041.3. Requirements for the Credential (Continued).

(H) Counseling and guidance, including student services.
(I) Special needs of students.
(J) Community relationships.
(K) Evaluation of student achievement.
(L) Organized activities to improve subject matter competencies.
(M) Interpersonal relations/communication.
(c) Officials Authorized to Recommend Issuance of Credentials
(1) An official authorized to recommend for issuance of the Designated Subjects credential for Adult Education is defined as either "a" or "b":
(A) The chief executive officer or designee of a local education agency (LEA) which has received Commission approval for a program of personalized preparation and training pursuant to subsection 80041.3(b) of these regulations.
(B) The chief executive officer or designee of an employing school district (ESD), who shall provide a description of the means used by the ESD to monitor and verify completion of a personalized preparation and training program, as provided in subsection 80041.3(b) of these regulations, which procedure shall be subject to audit by the Commission.
(2) An official authorized to recommend for the issuance of the limited Designated Subjects credential for Adult Education is defined as the chief executive officer or designee of the employing school district (ESD), who shall verify that the applicant has satisfied the specific requirements for qualifying education and/or experience pursuant to these regulations and who attests to the special fitness of the candidate to teach the subject(s) designated on the credential and that employment has or will be offered in the district to the applicant to teach the subject(s) on the credential.

NOTE: Authority cited: Sections 44225 and 44225(b), Education Code. Reference: Sections 44259 and 44260, Education Code.

HISTORY:
1. New section filed 6-5-79; effective thirtieth day thereafter (Register 79, No. 23).
2. Amendment filed 11-2-79; effective thirtieth day thereafter (Register 79, No. 44).

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80041.4. Requirements and Procedures for Agencies Recommending for Designated Subjects Credentials for Adult Education. (a) Local Education Agencies (1) Local education agency (LEA) defined: For purposes of developing, submitting and implementing a Commission-approved program of personalized preparation and training, the following are defined as local education agencies: (A) A California public school district or consortium of school districts; (B) A California county superintendent of schools; (C) A California regional occupation program or center; (D) A California State Agency; (E) A California approved teacher preparation institution. (2) Procedures for receiving personalized preparation and training program approval: A local education agency desiring to develop a program for the Designated Subjects credential for Adult Education shall file with the Commission for Teacher Preparation and Licensing a program approval review document. The document shall contain all of the following: (A) A transmittal letter from the chief administrative officer of the local education agency acknowledging his approval of the program. (B) Program goals. (C) A brief description of the program to include the name of the cooperating institution(s) or agency(ies), program plans and personnel selection procedure, personalized preparation and training plans and time blocks. Sequences of experiences for the preparation of adult education teachers shall be outlined. A local education agency may coordinate its program or programs with instruction offered by an approved teacher preparation institution(s). (D) Means by which the program goals are to be achieved. (E) Evaluation design and means. (F) Plans for future program revision and development. The Commission will approve programs after the review of the program approval review document, when such document reflects that the program submitted by the local education agency meets the intent of these guidelines. Programs will be audited by the Commission to determine if the guidelines are being followed. Credentials recommended for issuance by an approved LEA will be granted when the approved program plan has been or is being followed (or when a justification for variance from the program plan is submitted with the application).	Repeal	No specific statutory authority for Designated Subjects credential for Adult Education.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80041.4. Requirements & Procedures for Agencies Recommending for Designated Subjects Credentials for Adult Education (Continued). (b) Employing School Districts (1) Employing School District defined: An employing school district is a California school district which offers, on a regular basis, classes organized primarily for adults. (2) Procedures for Employing School Districts to recommend for credentials: An application for the Designated Subjects credential for Adult Education may be submitted through an employing school district on forms provided by the Commission for Teacher Preparation and Licensing verifying that requirements pursuant to these regulations applicable to an employing school district have been satisfied by the applicant. NOTE: Authority cited: Sections 44225 and 44225(b), Education Code. Reference: Sections 44259 and 44260, Education Code. HISTORY: 1. New section filed 6-5-79; effective thirtieth day thereafter (Register 79, No. 23).		
80043. Statement of Employment and Verification of Qualifications. Pursuant to Section 44262 of the Education Code, issuance of an Eminence Credential shall be based upon a statement of employment and a verification of qualifications. (a) The Statement of Employment in the district shall include the proposed specific assignment of the credential applicant, and a certification of the intention of the district to employ the applicant if granted an Eminence Credential. (b) The verification of qualifications of an applicant for an Eminence Credential shall include: (1) Recommendations, which may be from the following: professional associations; former employers; any other individuals or groups whose evaluations would support eminence; and (2) Documentation of achievement, which may include, but need not be limited to, the following: employment, where pertinent; transcripts of related study; publications; professional performance; recognition of outstanding knowledge and skill and professional achievement. (c) The Commission shall, in its distributions of its monthly agenda, provide notice to the public of those individuals for whom it is considering issuing Eminence Credentials. Any association, group, or individual may provide the Commission with a written statement regarding the qualifications of the individual under consideration by the Commission for an Eminence Credential. NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44260, Education Code.	Retain	Necessary to implement E.C. 44262. Change Reference from E.C. 44260 to E.C. 44262.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80044. Scope of Eminence. A person may obtain an Eminence Credential if the subject or service in which the work is determined to exhibit eminence is one which a school board wishes to have taught or practiced in its district. NOTE: Authority cited: Section 44225, Education Code.	Retain	Necessary to implement E.C. 44262. Add E.C. 44262 as reference.
80045. Reissuance of Eminence Credential. In determining whether or not it shall reissue an Eminence Credential, the Commission shall receive a written statement from the superintendent of the school district which shall include: (a) A statement that the school district will rehire the applicant if the credential is reissued; (b) A statement that the governing board of the school district has determined that the eminence applicant will best serve the children of the district; and (c) The eminence applicant's probation evaluation report compiled in the usual manner in which the district obtains reports of its probationary employees' performance. The request from the school district for a reissuance of an Eminence Credential shall also contain the specific job description of the assignment that the Eminence Credential holder will fill. NOTE: Authority cited: Section 44225, Education Code.	Amend - Change "Reissue" to renew.	E.C. 44262 specifies renewal. Add E.C. 44262 as reference.
80046. Term of Issuance, Reissuance, and Renewal. An Eminence Credential shall be issued for a one-year period and may be issued, reissued, or renewed for one-year periods upon the request of the governing board of the school district. NOTE: Authority cited: Section 44225, Education Code.	Repeal	Regulation not necessary as this is already stated in E.C. 44262.
80048. Specialist Instruction Credential. A Specialist Instruction Credential shall be issued initially only until the date of expiration of the valid appropriate teaching credential, but for not more than five years. (a) A Specialist Instruction Credential shall be renewed only until the date of expiration of the valid teaching credential, but not more than five years. NOTE: Authority cited: Section 44225, Education Code.	Retain	Necessary to make clear the period of validity of this credential. Add E.C. 44251, 44348, and 44265(a) as references.
80049. Services Credential With a Specialization in Pupil Personnel Services. A Services Credential with a Specialization in Pupil Personnel Services shall be issued for five years. NOTE: Authority cited: Section 44225, Education Code.	Retain	Necessary to make clear the period of validity of this credential. Add E.C. 44348 as reference.

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80050. Services Credential With a Specialization in Health Services. A Preliminary Services Credential with a Specialization in Health Services shall be issued for not more than five years following completion of the baccalaureate or higher degree, and an approved program of professional preparation, but prior to completion of the fifth year of study. (a) Upon completion of the fifth year of study, and upon satisfying the Commission that the holder is otherwise qualified, the holder of the Preliminary Credential shall be issued a Services Credential with a Specialization in Health Services. (b) The Services Credential with a Specialization in Health Services shall be issued for five years. **NOTE: Authority cited: Section 44225, Education Code.**	Amend - Delete BA requirement.	No specific statutory authority. E.C. 44267 does not include a BA as a minimum requirement.
	Delete fifth year of study requirement.	No specific statutory authority. E.C. 44267 does not include a fifth year of study as a minimum requirement.
	Delete preliminary credential.	No specific statutory authority. E.C. 44251 specifies that a preliminary credential is valid for 5 years, pending completion of a fifth year of study. E.C. 44267 does not require a fifth year of study, therefore, there can be no preliminary credential.
	Specify what health service(s). Add E.C. 44348 and 44267 as references.	Clarification. One can assume this section refers to school nurse, but it should so state.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80051. Services Credential With Specialization in Health Services Other Than School Nurse. A Health Services Credential shall be issued for five years upon verification of the possession of a valid license, certificate, or registration, appropriate to the health service to be designated, issued by the California agency authorized by law to license, certificate, or register persons to practice that health service in California. (a) The services under this section shall be limited to: 1. Physician (all specialties); 2. Dentist (all specialties); 3. Dental Hygienist; and 4. Optometrist. NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44267, Education Code.	Retain	E.C. 44267 mandates CTPL to specify services. Add E.C. 44348 as reference.
80052. Authorization for Service. The credential issued under Sections 80050 and 80051 shall authorize the holder to serve in the area designated on the credential in preschool, kindergarten, and grades one through twelve. NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44267, Education Code.	Retain	E.C. 44267 mandates CTPL to specify grades.
80053. Services Credential Authorizing Service as a Librarian. A Services Credential authorizing service as a librarian shall be issued for five years. NOTE: Authority cited: Section 44225, Education Code.	Retain	Necessary to make clear the period of validity of the credential. Add E.C. 44269 and 44348 as references.
80054. Services Credential With a Specialization in Administrative Services. A Services Credential with a Specialization in Administrative Services shall be issued initially only until the date of expiration of the valid teaching credential, or Services Credential with a Specialization in Pupil Personnel, Health, or Librarian Services, but for not more than five years. (a) A Services Credential with a Specialization in Administrative Services shall be renewed until the date of expiration of the valid teaching credential, or Services Credential with a Specialization in Pupil Personnel, Health or Librarian Services, but for not more than five years. NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44270, Education Code. HISTORY: 1. Amendment filed 2-7-80; effective thirtieth day thereafter (Register 80, No. 6).	Retain	Necessary to make clear the period of validity of the credential. Add E.C. 44348 as reference.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80055. Internship Credential. An Internship Credential shall be issued initially for two years, and may be renewed for one year upon a showing that extenuating circumstances have prevented its completion within a two-year period. Such circumstances shall include, but not be limited to, illness, military service, and other factors not within control of the applicant. **NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44260, Education Code.**	Amend - Delete all except one year renewal period. Delete E.C. 44260 as reference. Add E.C. 44456 and 44348 as references.	Not Necessary. E.C. 44455 and 44456 already make clear all provisions except the time period of the renewal.
80055.1. Exchange Certificated Credential. An exchange certificated employee credential authorizes the holder to serve in a position requiring certification qualifications as specified on the credential in the school district proposing to employ the person. A school district governing board that proposes to employ an exchange certificated employee shall: (a) Comply with provisions of Education Code Section 44853. (b) Inform the applicant for the exchange position that an exchange certificated employee credential may be secured by submitting an application on the form prescribed by the Commission for Teacher Preparation and Licensing and personal identification cards. (c) Submit to the Commission a statement verifying the following: (1) The position in which the governing board proposes to employ the applicant. (2) The dates of proposed employment. (3) Facts showing that the applicant is an employee of a public school as required by Education Code Section 44853. (4) The district has given due consideration to the general qualifications and professional status of the proposed exchange employee as compared to the general qualifications and professional status of the employee to be exchanged. (5) The district has official verification from the proper authorities mentioned in Education Code Section 44853 that the applicant is fit to perform the services required in the position.	Amend - Delete Subsection (a).	Not Necessary. Requirements of E.C. 44853 must be met with or without CTPL regulations.

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80055.1. Exchange Certificated Credential (Continued). **Authorization for Service.** This credential authorizes the holder to serve in a position requiring certification qualifications as specified on the credential in the school district proposing to employ the person. **Term.** This credential may be issued for a three-year period provided the exchange is maintained. At the end of the assignment period, the exchange, with the consent of all parties, may be made complete and permanent provided that the governing board submits to the Commission facts showing that the holder meets all California minimum standards which would be required of an applicant for a regular credential authorizing that class or service. NOTE: Authority cited: Section 44225(b), Education Code. Reference: Section 44853, Education Code. *History:* 1. Amendment and renumbering of Section 6670 in Part I to Section 80055.1 filed 3-8-78; effective thirtieth day thereafter (Register 78, No. 10).		
80055.2. Sojourn Certificated Employee Credential. A sojourn certificated employee credential may be issued to a person meeting minimum requirements upon submission by a California school district governing board of a completed application to the Commission for Teacher Preparation and Licensing. A completed application shall include all of the following: (a) All information required by the application form provided by the Commission for Teacher Preparation and Licensing, including two personal identification cards with legible fingerprints and the required application fee. (b) Transcripts, certificates, or other reasonable evidence of all education above United States high school level or equivalent, and showing at least 90 semester units of collegiate level study or equivalent, and all teaching experience. (c) Certification by the governing board that the applicant is a bilingual-biliterate teacher fluent both in English and in the target language and employed as required by Education Code Section 44856 during the calendar year immediately preceding the date of application. (d) Certification by the governing board that the applicant will be employed by the school district in a teaching assignment authorized by a sojourn certificated employee credential and that the applicant has been informed in writing of his or her employment status and renewal requirements. (e) A statement in writing and signed by the applicant verifying knowledge of the general requirements for a regular credential and agreeing to diligently pursue completion of the said requirements.	Retain	E.C. 44856 mandates CTPL to establish minimum standards for Sojourn Certificated Employees. Delete E.C. 44232 as authority cited. Add E.C. 44225, 44252 and 44856 as authority cited.

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE

80055.2. Sojourn Certificated Employee Credential (continued).

Authorization for Service. This credential authorizes the holder to provide bilingual instruction, foreign language instruction, or cultural enrichment in the elementary and/or secondary grades of the employing California public school district in the subjects in which the applicant is academically competent to teach.

Term. This credential shall be issued initially for two years. It may be renewed one year at a time for no more than a total of five such one year renewals upon completion of renewal requirements.

Renewal. The sojourn certificated employee credential may be renewed for the first time upon application filed prior to the expiration date and verification of completion during the life of the credential of at least 12 semester units or equivalent of college or university coursework applicable toward meeting regular credential requirements and, in addition, pass an assessment which will verify competency in language and culture as appropriate to the target language. For each successive one year renewal, completion of a minimum of six additional semester or equivalent units shall be verified. Each one year renewal shall require verification by the employing district of the continued need for the services of the sojourn certificated employee as required by Education Code Section 44856.

Conversion to Regular Teaching Credential. Four years of successful classroom teaching on the basis of a sojourn certificated employee credential, as demonstrated by continual employment in the public schools, shall be accepted as equivalent to the professional preparation program required in Education Code Section 44259(c). When all other requirements of Education Code Section 44259 have been met, a clear teaching credential may be issued. If all requirements except the fifth year of study after completion of a baccalaureate degree have been met, a preliminary credential may be issued.

NOTE: Authority cited: Section 44232, Education Code. Reference: Section 44856, Education Code.

History: 1. Renumbering of Section 6671 in Part I to Section 80055.2 and amendment filed 5-30-78; effective thirtieth day thereafter (Register 78, No. 22).

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80058.2. Continuance and Extension of Service. (a) The employing school officials, upon request to county school officials, may receive continuance to the end of a school year of a candidate's preliminary credential which lapses (expires) April 1 or thereafter of a school year. Such continuance is authorization for payment of salaries for service rendered on the lapsed credential. (b) The employing school official, upon request to the county school officials, may receive continuance of the 30-day emergency substitute teaching credential to the end of the school year if the 30-day authorization is fulfilled after May 15 of a school year. NOTE: Authority cited: Section 44225(b), Education Code. Reference: Section 44344, Education Code. HISTORY: 1. New section filed 11-29-78; effective thirtieth day thereafter (Register 78, No. 48).	Repeal	No specific statutory authority to extend the period of validity of a credential beyond the time authorized by law.
80061. Teaching Educationally Handicapped; Specialist Instruction Credential Required After August 31, 1976. After August 31, 1976, no teacher shall be assigned to teach in a program for the educationally handicapped unless he or she holds a Specialist Instruction Credential in Special Education with an authorization to teach the learning handicapped or the severely handicapped as both are defined in Section 56352 of the Education Code. NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44252, 44347, and 44348, Education Code.	Repeal	No specific statutory authority for CTPL to determine the assignment of teachers.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80065.1. Supervision and Coordination Authorization of the Bilingual Cross-Cultural Specialist Instruction Credential. **(a)** The authorization of the Bilingual Cross-Cultural Specialist Credential shall allow the credential holder to supervise and coordinate bilingual programs under the following minimum requirements: **(1)** Possession of a basic teaching credential. **(2)** Possession of a valid Bilingual Cross-Cultural Specialist Credential. **(3)** Three full years of full-time bilingual classroom experience. **(4)** Demonstration, to the satisfaction of the Commission, of competence in the following areas by means of completion of academic course work at a Commission-approved institution of higher education, or equivalent experience gained through a recognized district-sponsored staff development program coordinated with an approved IHE: **(A)** Knowledge of those factors which effect improvement in a bilingual education program. **(B)** Knowledge of sound bilingual personnel management techniques. **(C)** Knowledge of the dynamics of school-community relations. **(D)** Knowledge of the principles and practices of bilingual education program management. **(E)** Knowledge of effective techniques used in the development of administrative leadership qualities. **(F)** Knowledge of fiscal control and budgeting in bilingual education programs. **NOTE:** Authority cited: Section 44225, Education Code. Reference: Sections 44265, 44274, Education Code. **HISTORY:** **1.** New section filed 2-27-80; effective thirtieth day thereafter (Register 80, No. 9).	Repeal	No specific statutory authority for supervision and coordination of bilingual programs.

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80071.1. Oral Proficiency Examinations for Single Subject Language Authorization. Every applicant for a single subject credential in French, German, or Spanish... shall be required to pass an oral proficiency examination approved by the Commission in such language in addition to any examination required pursuant to Section 80071. NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44280 and 44289, Education Code. HISTORY: 1. New section filed 6-5-79; effective thirtieth day thereafter (Register 79, No. 23).	Repeal	Not Necessary. E.C. Sections 44280 and 44289 already empower CTPL to select and set passing scores for subject matter examinations. Title 5, Section 80071 already makes clear that a list of adopted examinations is available from CTPL on request. Oral proficiency is a part of (not in addition to) the subject matter examination adopted by CTPL for French, German and Spanish. A special regulation is not required to accomplish this.
80071.2. Writing Proficiency Examination for Single Subject English Language Authorization. Every applicant for the single subject credential in English shall be required to pass a writing proficiency examination approved by the Commission in addition to any examination required pursuant to Section 80071. NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44280 and 44289, Education Code. HISTORY: 1. New section filed 6-5-79; effective thirtieth day thereafter (Register 79, No. 23).	Repeal	Not Necessary. Same rationale as specified for Section 80071.

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80072. Appeal Upon Failure to Pass Subject Matter Examination. The Commission will consider appeals presented in writing by applicants who have failed to attain the passing score standard established by the Commission when the appellant can verify evidence of meeting the following appeal standards: (a) Within 30 days after a score report for a written examination has been received for any certificate or credential issued by the Commission, an unsuccessful applicant may file a petition of appeal with the Executive Secretary on the grounds of fraud, discrimination, or clerical error in scoring, or other grounds of extraordinary improper acts or circumstances which were reported to the test supervisor at the time of the administration of the examination and which a reasonable person could agree deprived the candidate of a fair chance to take and pass the examination; except that mere failure to pass an examination which has been successfully passed by other applicants shall not be grounds for appeal. Candidates are encouraged to report any extraordinary improper test administration acts or circumstances to the Commission. (b) The petition shall be in writing and shall state the facts, information or circumstances upon which the appeal is based and in sufficient detail to identify the examination and persons involved. The petition shall be signed and dated by the applicant, and shall include the following statement: "I certify under penalty of perjury that the facts stated herein are true and correct." (c) The petitition may include other relevant information including the petitioner's academic record, letters of recommendation and other facts upon which the Commission might reasonably conclude that, but for the grounds for appeal alleged, the petitioner would have demonstrated all qualifications required by law for such credential or certificate. (d) The petition, with the Executive Secretary's recommendation with respect thereto, shall be granted or denied by the Commission on the basis of the verified facts presented in the petition. The Commission may order reexamination of the petitioner upon all or any portion of the examination appealed from with or without further examination fee. (e) Applicants who fail a subject matter examination and do not meet the standards may appeal by requesting to be examined by a board of examiners. Such an appeal shall be in writing and shall include all of the following: (1) Verification that appellant has failed the examination and does not meet the standards; and (2) Agreement by the appellant to pay the costs of impaneling and operating the board of examiners. NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44281 and 44310, Education Code. HISTORY: 1. Amendment filed 1-12-79; designated effective 2-14-79 (Register 79, No. 2). 2. Amendment of subsection (a) filed 2-27-80; effective thirtieth day thereafter (Register 80, No. 9).	Amend- Subsection (e) should be changed to specify that the examination given by the board of examiners is oral. Add E.C. 44252 as authority cited. Add E.C. 44345(a), 44280 and 44289 as references.	Clarification. Makes clear that this is an oral examination and makes this Section consistent with Section 80075.

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80073. Board of Examiners. In response to appeals filed in accordance with Section 80072(e), the Commission shall appoint boards of examiners as appropriate, each consisting of not more than six persons drawn equally from practicing public school teachers and full-time higher education faculty in the subjects or field(s) in which the candidate wishes to be examined. All examinations held by such boards shall be executive and closed sessions with only board members, Commission members, and staff, and the applicant permitted to attend. The recommendations of each board of examiners shall be in writing. A copy of such recommendations shall be transmitted to the Commission, and the Commission will notify applicants of its decision by registered mail within 30 days after the Commission considers the recommendations of the board. NOTE: Authority cited: Section 44225, Education Code. HISTORY: 1. Amendment filed 1-12-79; designated effective 2-14-79 (Register 79, No. 2).	Retain	Necessary to implement board of examiners appeal provisions. Add E.C. 44252 as authority cited; and E.C. 44345(a), 44280, and 44289 as references.
80074. Members of the Board of Examiners. The Commission shall consider the following criteria when appointing members to a board of examiners: (a) Current full-time employment; (b) Major in the subject area to be examined; (c) Three years of full-time teaching experience in the subject area of the examination; (d) Bilingual or crosscultural experience or other background and expertise appropriate to the specific needs of applicants.	Retain	Same rationale as specified for Section 80073. Add E.C. 44225, 44252 as authority cited; and E.C. 44345(a), 44280 and 44289 as references.
80075. Oral Examination. The oral examination shall be given at a location or locations designated by the Commission. No more than two such examinations shall be scheduled in one ~~year for~~ each subject matter area. This oral examination shall cover the substance specified in the adopted scope and content statement appropriate to the subject matter area being examined, and shall be scheduled for no longer than three hours.	Retain	Same rationale as specified for Section 80073. Add E.C. 44225, 44252 as authority cited; and E.C. 44345(a), 44280 and 44289 as references.
80076. Board of Examiners' Fee. The fee shall be based on actual costs to assemble the Board of Examiners. A fee as provided in Section 80487 must be paid prior to the scheduling of the examination. After actual costs have been determined, a refund of any unearned portion of the fee will be paid to the applicant. These costs may be prorated between two candidates when two candidates are to be examined in one day, and among all candidates taking the same examination when the examination session lasts longer than one day. NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44280 and 44289, Education Code. HISTORY: 1. Amendment filed 1-17-80; effective thirtieth day thereafter (Register 80, No. 3).	Retain	Same rationale as specified for Section 80073. Add E.C. 44225, 44252 as authority cited; and E.C. 44345(a), 44280, 44289 and 44298 as references.

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80077. Examination Processing Fee. The fee for processing a request to apply for an examination score to meet one of the requirements for a Ryan Act credential shall be as provided in Section 80487. The fee is deemed earned upon receipt and shall not be refunded. A separate request and fee is required for each examination taken. **NOTE: Authority cited: Sections 44225 and 44298, Education Code. Reference: Sections 44280 and 44289, Education Code.** **HISTORY:** **1. Amendment filed 1-17-80; effective thirtieth day thereafter (Register 80, No. 3).**	Retain	Necessary to implement, make specific and clarify E.C. 44298. Add E.C. 44252 as authority cited.

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80085. Waiver Policy; General Requirements. In accordance with the requirements of Sections 44311 and 44312 of the Education Code, the Commission shall evaluate a subject matter program submitted to it as adequate and appropriate for the purpose of waiving the respective subject matter examination, and shall grant such subject matter program waiver status upon fulfillment of the following requirements by the institution requesting such subject matter examination waiver: (a) The subject matter program submitted to the Commission shall be earned by completion of a program of study within the major, which has been formally developed by the subject matter department from its regular offerings and those of other departments, as appropriate; and the subject matter program shall, in the judgment of the institution, provide the best preparation for teaching the subject in the public schools. (1) In arriving at this judgment, the department shall secure the advice of a consultant group composed of classroom teachers of the subject in the local public schools, K though 12. During such consultation, the frameworks issued by the State Department of Education (where existing and where appropriate) shall be given due consideration. (2) A principal characteristic of the subject matter program thus developed shall be reasonable breadth of subject matter coverage within the relevant category. NOTE: Specific reference cited: Section 44310, Education Code.	Retain	Necessary to implement E.C. Sections 44310, 44311 and 44312 and to set the standards for examination waivers. Add E.C. 44225 as authority cited, and E.C. 44311 and 44312 as references.
80086. Subject Matter Categories with Distinct Disciplines. In the subject matter categories which include several distinct disciplines, such as life science, physical science, and social science, the institution shall require teacher candidates completing majors in one discipline within those categories to have studied in other disciplines within the category to the extent of at least half the study in the major discipline. Such study may be concentrated in one nonmajor discipline or distributed among the other nonmajor disciplines. (a) In such categories as industrial arts and agriculture, the major developed for teacher candidates within a particular discipline within the category will display breadth within the major discipline itself, but shall not be required to do so across the entire multi-disciplinary category. (b) In the category English, the candidate shall demonstrate competence and reasonable breadth in the discipline of English, including literature, language, and composition (written and oral); and shall elect to demonstrate special competencies in one or more associated disciplines. NOTE: Specific reference cited: Section 44310, Education Code.	Retain	Same rationale as made for Section 80085. Add same authority and reference citations.

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80087. Institutional Procedures and Standards. The responsible head of the institution, following regular review by procedures appropriate to the institution, shall report to the Commission the subject matter programs the institution has selected as qualifying for waivers; he shall certify that the procedures listed above have been followed in selecting and developing subject matter programs; and, he shall explain to the Commission what academic standards were borne in mind, upon that campus, during the process of selecting such programs. NOTE: Specific reference cited: Section 44310, Education Code.	Retain	Same rationale as made for Section 80085. Add same authority and reference citations.
80088. Use of State Curriculum Frameworks. The content of subject matter waiver programs designed to stress subject matter competence for credential candidates should relate to, and reflect a responsiveness to, the requirements and suggestions of the State Curriculum Framework of that subject matter area. NOTE: Specific reference cited: Sections 44311–44312, Education Code.	Retain	Same rationale as made for Section 80085. Add E.C. 44225 as authority cited, and E.C. 44310 as reference.
80092. Period of Validity of Waiver Subject Matter Program. Waiver status granted to subject matter programs shall be valid for a period of five years after which the procedures outlined in Sections 80085 through 80087 shall be completed again and a new condition of waiver status may be issued to the institution by the Commission. NOTE: Specific reference cited: Section 44310, Education Code.	Retain	Same rationale as made for Section 80085. Add E.C. 44225 as authority cited, and E.C. 44311 and 44312 as references.
80093. Completion of Waiver Subject Matter Program; Subsequent Examination Not Required. Waivers of the subject matter examination, issued to teacher candidates, shall be effective during the life of the credential granted. NOTE: Specific reference cited: Section 44310, Education Code.	Retain	Same rationale as made for Section 80085. Add same authority and reference citations.
80094. Institutionally Approved Subject Matter Equivalencies. Institutions shall be authorized to develop and implement a system for determining subject matter equivalency for courses and programs students may wish to transfer from another institution. The system may include, but not be limited to, the use of: (1) course descriptions; (2) competency rating sheets; (3) examinations (oral and written); and (4) recommendations from the other institutions. NOTE: Specific reference cited: Section 44310, Education Code.	Retain	Same rationale as made for Section 80085. Add same authority and reference citations.

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80095. Notice of Cancellation of Credentials. When a credential has been issued to an applicant before the Commission for Teacher Preparation and Licensing receives notification that a check offered as payment for the licensing fee has been stopped or that the applicant's banking account contains insufficient funds, and after a reasonable attempt has been made by the Commission to obtain a valid fee or return of the credential in lieu of the fee, the credential shall be cancelled; and a notice of such cancellation shall be placed in the monthly bulletin distributed to Chief State School Officers, County Schools' Offices, and School District Superintendents. NOTE: Authority cited for Article 4: Section 44232, Education Code. *History:* 1. Amendment and renumbering of Part I, Division 7, Subchapter 17, Article 5 (Section 5991) to Part VIII, Chapter 1, Article 4 (Section 80095), filed 12-16-77; effective thirtieth day thereafter (Register 77, No. 51). For prior history see Register 73, No. 26.	Repeal	No Specific Statutory Authority for "cancellation" of credentials. In addition, the regulation is Not Necessary. E.C. 44355 (Chapter 488, Stats 1980) authorizes CTPL to void (and to deem to be void from the date of issuance) any credential which would not have been issued but for deception, fraud, mistake of law, or mistake of fact. These circumstances would include stopped payment on checks and non payment due to insufficient funds. No special regulation is required to accomplish this.

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
Article 5. Permits Authorizing Service in Children's Centers **80105. Definitions.** As used in this article, each of the following terms has the meaning herein shown: (a) "Approved Institution" means any collegiate institution approved by the Commission. (b) "Course work" means course work successfully completed in an "approved institution." (c) "A year of experience" means paid or volunteer services in an instructional capacity in a child development program for not less than two hours per day, for at least 100 days during not more than three school years; only one year of experience may be earned in a school year. (d) "Child development program" means any type of group child care or early childhood education program for children operated by a person, association, organization or school district legally authorized to conduct such programs. Child development programs include but are not limited to the following: (1) Children's center and child care programs for pre-school and school-age children. (2) Pre-school programs for children under the minimum age for admission to public schools. (3) Parent-cooperative nursery schools. (4) Play groups for pre-school children. (5) Infant development programs. (e) "General education" means college-level course work in subject areas other than early childhood education and/or child development. NOTE: Authority cited for Article 5: Section 8370, Education Code. Reference: Sections 8370 and 8363, Education Code. *History:* 1. Amendment and renumbering of Part I, Division 19, Chapter 1, Article 2 (Sections 17930–17946) to Part VIII, Chapter 1, Article 5 (Sections 80105–80117), filed 12-16-77; effective thirtieth day thereafter (Register 77, No. 51). For prior history see Register 77, No. 39; Registers 75, No. 44, No. 32 and No. 25; and Register 74, No. 47. 2. Amendment of subsections (a) and (c), and new subsections (d) (5) and (e) filed 11-30-78; designated effective 1-1-79 (Register 78, No. 48).	Retain	Necessary to clarify use of these terms.

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80106. Filing of Credentials Deemed Permits. A person who holds a credential described in Education Code Section 8360 when such credential is deemed a Children's Center Permit shall: (a) File (register) the credential with the county superintendent of schools as provided in Education Code Section 8360 if he or she is employed in a children's center maintained by a public agency. (b) File (register) the credential with the private agency if he or she is employed in a child development program maintained by a private agency, such filing (registration) to be made not later than 95 days after commencement of his service for the agency.	Repeal	Not Necessary. E.C. 8360 already specifies filing requirements.
80107. Application Procedure and Date of Issuance of a Permit. **(a) Submission of Application.** Each applicant for a Children's Center Permit of any type or for any renewal thereof shall submit an application to the Commission for Teacher Preparation and Licensing, or to the Office of the County or District Superintendent of Schools of the county in which the applicant is employed. **(b) Application Form.** An application for a Children's Center Permit shall be submitted on the application form furnished by the Commission for Teacher Preparation and Licensing and shall be accompanied by all of the following: **(1) Identification.** A personal identification card as otherwise provided by the Commission, unless an acceptable card has been submitted with a previous application for a permit under this section or for a certification document issued by the Commission for Teacher Preparation and Licensing. **(2) Fee.** Each application for a permit shall be accompanied by a money order or check for the fee currently required for the issuance of a credential. **(3) Transcript.** Transcripts of record listing all college and university course work. **(4) Verification of Experience.** For each permit granted in whole or in part on the basis of educational experience, the application shall be accompanied with original letters, from responsible persons having knowledge of the facts, verifying the dates and character of the experience claimed.	Amend - Subsection (b)(1) should refer to Section 80442. Subsection (b)(2) should refer to Section 80487(a)(1). Add E.C. 8370 as authority cited. Add E.C. 8370, 8362 and 8363 as references.	Consistency in stating fingerprint identification requirements. Consistency in stating fee requirement.

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80107. Application Procedure & Date of Issuance of a Permit (Continued). **(c) Date of Issuance.** When all requirements for a permit are met by the date an application is filed, the permit shall be dated as of the date the application was filed, and such date shall be deemed the date of issuance. When all requirements are not met by such date, the permit shall be dated as of the date on which all of the requirements have been completed, and such date shall be deemed the date of issuance. **(d) No Renewal of Expired Permit.** An expired permit shall not be renewed. **(e) Failure to Meet Renewal Requirements.** In the event the holder of a permit failed to meet the renewal requirements set forth in this article, he may petition the Commission for Teacher Preparation and Licensing for a new permit under current standards. The issuance thereof shall be within the discretion of the Commission for Teacher Preparation and Licensing.		
80108. Character Requirement. Every applicant for a Children's Center Permit, and the renewal thereof, shall be, and upon demand shall submit to the Commission satisfactory evidence of good moral character. Every holder of a Children's Center Permit shall be, and upon demand shall submit to the Commission satisfactory evidence, of continued good moral character as a condition of retention of such permit.	Repeal	Not Necessary. Title 5, Section 80116 already specifies that procedures for denial, suspension and revocation of permits are the same as for credentials.

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80109. Types of Permits. The Commission for Teacher Preparation and Licensing shall issue permits of the following types for service in child development programs: **(a)** (1) Supervision Permit. (2) Instructional Permit. **(b)** Instructional Permits shall be either: (1) Emergency, or (2) Regular, or (3) Life. **(c)** Supervision Permits shall be either: (1) Regular, or (2) Life. **(d)** No permit is required for service as a non-teaching aide described in Education Code Sections 44833 and 44835. NOTE: Authority cited: Section 8370, Education Code. Reference: Sections 8363 and 8370, Education Code. *History:* 1. Repealer of subsections (a)–(c) and new subsections (a)–(d) filed 11-30-78; designated effective 1-1-79 (Register 78, No. 48).	Amend - Delete Subsection (d).	Not necessary to repeat existing law.
80110. Supervision Permit. (a) Each applicant for a Supervision Permit shall comply with the procedure prescribed for application (Section 80107) and meet all the following requirements: (1) Two years of successful teaching or supervision experience in a child development program. (2) A bachelor's or higher degree granted by an approved institution. (3) A major, as defined by the institution offering the degree, in early childhood education or child development, and in addition at least six semester hours of course work covering administration and supervision of child development programs. In lieu of a major, a candidate may offer successful completion of twenty-four semester hours of course work completed through an approved collegiate institution. This twenty-four semester hours must include at least six semester hours of course work covering administration and supervision of child development programs, and eighteen semester hours of course work in subject fields related to early childhood education.	Repeal	Not necessary. CTPL established new requirements for this permit under Section 80111. Section 80110 is no longer applicable.

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80110. Supervision Permit (Continued): (b) **Term and Renewal.** The permit initially issued pursuant to this section shall be valid for two years. It may be renewed for the life of the holder under compliance with procedure prescribed for application (Section 80107) and completion of a year of successful experience in a child development program. (c) **Authorization.** The Supervision Permit authorizes the holder to perform the following services in a child development program: (1) Supervise a child development program consisting of any number of children's facilities. (2) Perform services in the instruction of children in a child development program.		
80111. Regular Children's Center Supervision Permit. (a) Each applicant for a Regular Children's Center Supervision Permit shall comply with the procedure prescribed for application in Section 80167 and shall meet all of the following requirements: (1) A Regular Children's Center Instructional Permit. (2) Twelve semester units in early childhood education/child development at an advanced level. (3) Six semester units of course work in administration and supervision of child development programs. (4) Two years of experience as a teacher in a child development program. (5) A bachelor's or higher degree granted by an approved institution. (b) **Term and Renewal.** Issued for five years. May be renewed for five year periods. (c) **Authorization.** The Supervision Permit authorizes the holder to perform the following services in a child development program. (1) Supervise a child development program consisting of any number of children's facilities. (2) Perform services in the care, development and instruction of children in a child development program. NOTE: Authority cited: Section 8370, Education Code. Reference: Sections 8363 and 8370, Education Code. *History:* 1. Repealer and new section filed 11-30-78; designated effective 1-1-79 (Register 78, No. 48).	Amend - Subsection (a) should specify application procedure prescribed in Section 80107, rather than 80167.	Clarification. There is no Section 80167.

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80111.1. Life Children's Center Supervision Permit. (a) Each applicant for a Life Children's Center Supervision Permit shall comply with the procedure prescribed for application in Section 80107 and shall meet all of the following requirements: (1) A Regular Children's Center Supervision Permit. (2) Five years of full-time experience in the last 10 years, earned while possessing or eligible for the permit, at least two years of which have been continuous full-time employment while holding a Regular Supervision Permit. **(b) Term and Renewal.** Issued for the life of the holder unless revoked or suspended. **(c) Authorization.** A life supervision permit authorizes the services specified in 80111(c). NOTE: Authority cited: Section 8370, Education Code. Reference: Sections 8363 and 8370, Education Code. *History:* 1. New section filed 11-30-78; designated effective 1-1-79 (Register 78, No. 48)	Retain	E.C. 8363 and 8370 mandate CTPL to establish and prescribe requirements.
80114. Regular Children's Center Instructional Permit. (a) Each applicant for a Regular Children's Center Instructional Permit shall comply with the procedure prescribed for application in Section 80107 and shall meet all of the following requirements: (1) Twenty-four semester units of course work in early childhood education/child development (exclusive of field work). (2) One of the following: (A) Two years of experience in an instructional capacity as a paid aide or assistant in a child development program; or (B) A certificate from a Commission-approved field-based assessment system; or (C) Three years experience as a volunteer in an instructional capacity in a child development program; or (D) A supervised field work course from an accredited institution plus one year of experience in an instructional capacity in a child development program. (3) Sixteen diversified semester units in general education (i.e., at least one course in each of the following areas: Humanities, Social Sciences, Math and Science, and English).	Retain	E.C. 8363 and 8370 mandate CTPL to establish and prescribe requirements.

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80114. Regular Children's Center Instructional Permit (Continued). (b) Term and Renewal. Issued for five years. Renewable for successive five year periods (with no additional requirements). (c) Authorization. An Instructional Permit authorizes the holder to perform service in the care, development, and instruction of children in a child development program. NOTE: Authority cited: Section 8370, Education Code. Reference: Sections 8363 and 8370, Education Code. HISTORY: 1. Repealer and new section filed 11-30-78; designated effective 1-1-79 (Register 78, No. 48).		
80114.1. Life Children's Center Instructional Permit. (a) Each applicant for a Life Children's Center Instructional Permit shall comply with the procedures for application in Section 80107 and shall meet all of the following requirements: (1) A REGULAR Instructional Permit, (2) A bachelor's or higher degree granted by an approved institution; and, (3) Five years of full-time experience in the last ten years, earned while possessing or eligible for the permit, at least two years of which have been continuous full-time employment while holding a REGULAR permit. (b) Term and Renewal. Issued for the life of the holder unless revoked or suspended. (c) Authorization. The Life Instructional Permit authorizes the service specified in Section 80114(b). NOTE: Authority cited: Section 8370, Education Code. Reference: Sections 8363 and 8370, Education Code. HISTORY: 1. New section filed 11-30-78; designated effective 1-1-79 (Register 78, No. 48).	Retain	E.C. 8363 and 8370 mandate CTPL to establish and prescribe requirements.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
Article 6. Positions Requiring Administrative Credentials or Supervision Credentials **80125. Designation of Service Requiring Administration or Supervision Credentials.** Pursuant to Education Code Sections 35020, 35028, 44065, and 44860, except for persons initially employed prior to July 1, 1979 and continuously assigned and employed as provided herein, any person 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:	Amend - Specify that this provision applies to any person employed on or after July 1, 1963, in a position in the classified service.	Clarification of and consistency with Part 25, Chapter 1, Article 3 of the Education Code.
(a) Selection, assignment, or evaluation of certificated personnel at school, district, or county level.	Specify the functions as identified in E.C. 44065.	Consistency. E.C. 44065 does not authorize CTPL to expand upon the functions designated.
(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) Supervision and direction of testing and research connected with the evaluation and effectiveness of the instructional programs at school, district, or county level.	Specify which of the functions as identified in E.C. 44065 require an administration or supervision credential.	Consistency and clarification. E.C. 44065 requires CTPL to make such a designation.
	Specify that the administration or supervision credential required must authorize that particular function.	Consistency with E.C. 44065 and to clarify the specific credential required.
Educational evaluators may be employed as classified employees on either a full or part-time basis to perform the functions of program evaluation and research. Such persons need not have teaching or adminstrative services credentials so long as no functions for which certification qualifications are required are performed but shall be responsible to a credentialed administrator. NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44065, 44066 and 44860, Education Code. HISTORY: 1. Repealer and new section filed 11-2-79; effective thirtieth day thereafter (Register 79, No. 44). For prior history, see Register 77, No. 51.	Specify that the section refers to identified functions whether performed at a particular school or district or countywide.	Consistency with requirement of E.C. 44065.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80126. Designation of Services Requiring Pupil Personnel Services, Administration or Supervision Authorization. Pursuant to Education Code Sections 35020, 35300, and 44065, except for persons initially employed prior to July 1, 1979 and continuously assigned and employed as provided herein, any person 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. (b) Coordination, supervision, and direction of the interpretation or 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. **NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44065, 44066 and 44860, Education Code.** **HISTORY:** **1. Repealer and new section filed 11-2-79; effective thirtieth day thereafter (Register 79, No. 44).**	Amend - (Same recommendations as made for Section 80125, but specific to pupil personnel services).	(Same rationale as made for Section 80125, but specific to pupil personnel services.)

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80127. Designation of Services Requiring Teaching, Administration or Supervision Credential. Pursuant to Education Code Sections 35020 and 44065, except for persons initially employed prior to July 1, 1979 and continuously assigned and employed as provided herein, any person who is assigned to perform and who does perform under supervision of a principal 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 and supervision of the work of instructors and instructional programs. (b) Coordination and/or conducting staff development for certificated personnel. (c) Coordination of the preparation, selection, collection, classification, or demonstration of instructional materials. (d) Coordination of the research and evaluation of the effectiveness of the instructional programs. (e) Coordination of the evaluation of academic achievement of pupils. (f) Coordination and supervision of student co-curricular programs. **NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44065, 44066, and 44860, Education Code.** **HISTORY:** **1. Repealer and new section filed 11-2-79; effective thirtieth day thereafter (Register 79, No. 44).**	Amend - (Same recommendation as made for Section 80125, but specific to teaching).	(Same rationale as made for Section 80125, but specific to teaching.)

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
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.** **Principle I. Commitment to the Student. The educator measures success by the progress of each student toward realization of potential as a worthy and effective citizen. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals. In fulfilling these goals, the educator:** **(a) Encourages the student to independent action in the pursuit of learning and provides access to varying points of view.** **(b) Prepares the subject carefully, presents it to the students without distortion, and—within the limits of time and curriculum—gives all points of view a fair hearing.** **(c) Protects the health and safety of students.** **(d) Honors the integrity of students and influences them through constructive criticism rather than by ridicule and harassment.** **(e) Provides for participation in educational programs without regard to race, color, creed, national origin or sex—both in what is taught and how it is taught.** **(f) Neither solicits nor involves them or their parents in schemes for commercial gain thereby insuring that professional relationships with students shall not be used for private advantage.** **(g) Shall keep in confidence information that has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.** **Principal II. Commitment to the Public. The educator believes that democratic citizenship in its highest form requires dedication to the principles of our democratic heritage. The educator shares with all other citizens the responsibility for the development of sound public policy and assumes full political and citizenship responsibilities. The educator bears particular responsibility for the development of policy relating to the extension of educational opportunities for all, and for interpretation of educational programs and policies to the public. In fulfilling these goals, the educator:**	Repeal/replace with standards of conduct which speak to acts/omissions related to fitness to teach or competence to perform duties authorized by the credential applied for or held. EC 44345, CH 662/79.	Necessity: Administrative record made 4/22/70 at time of initial adoption is devoid of facts showing necessity. Authority: Ed Code 44421 (old 13202) shows no express or implied authority for imposing any particular system of beliefs or personal values upon licensees or applicants. Section 44421, 44225 and other statutes authorizing regulations speak only to conduct (acts/omissions) as opposed to "belief", "recognition", "commitment", etc., and authorize sanctions for "refusal to obey the laws regulating the duties of persons serving in the public schools". Clarity: No clear distinction is made between conduct required or prohibited and the mere holdin or not holding of the prescribed beliefs or system of personal values. The sentences are long and complex and contain multiple concepts.

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80130. Preamble (continued) (a) Has an obligation to support his profession and institution and not to misrepresent them in public discussion. When being critical in public, the educator has an obligation not to distort the facts. When speaking or writing about policies, the educator must take adequate precautions to distinguish the educator's private views from the official position of the institution. (b) Does not interfere with a colleague's exercise of political and citizenship rights and responsibilities. (c) Ensures that institutional privileges shall not be used for private gain. Does not exploit pupils, their parents, colleagues, nor the school system itself for private advantage. Does not accept gifts or favors that might impair or appear to impair professional judgment nor offer any favor, service, or thing of value to obtain special advantage. **Principal III.** Commitment to the Profession. The educator believes that the quality of the services of the education profession directly influences the Nation and its citizens. The educator therefore exerts every effort to raise professional standards, to improve service, to promote a climate in which the exercise of professional judgment is encouraged, and to achieve conditions which attract persons worthy of trust to careers in education. In fulfilling these goals, the educator: (a) Accords just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities. (b) Does not use coercive means or promise special treatment in order to influence professional decisions of colleagues. (c) Does not misrepresent personal professional qualifications. (d) Does not misrepresent the professional qualifications of his colleagues, and will discuss these qualifications fairly and accurately when discussion serves professional purposes. (e) Applies for, accepts, offers, and assigns positions or responsibility on the basis of professional preparation and legal qualifications. (f) Uses honest and effective methods of administering educational responsibilities. Conducts professional business through proper channels. Does not assign unauthorized persons to educational tasks. Uses time granted for its intended purposes. Does not misrepresent conditions of employment. Lives up to the letter and spirit of contracts. NOTE: Authority cited for Article 7: Section 44421, Education Code. *History*: 1. Amendment and renumbering of Part I, Division 6, Chapter 1, Article 1 (Sections 5480–5485) to Part VIII, Chapter 1, Article 7 (Sections 80130–80132), filed 12-16-77; effective thirtieth day thereafter (Register 77, No. 51). For prior history see Register 77, No. 21 and Register 70, No. 17.		Consistency: Inconsistent with Section 2 of Article 1 of the California Constitution which protects the rights of all persons "...to freely speak, write, or publish their sentiments on all subjects, being responsible for the abuse of this right", and by Section 8 of Article 1 which provides "A person may not be disqualified from entering or pursuing a...profession or employment because of... creed..." Also inconsistent with First Amendment rights relating to freedom of thought and speech, as well as Article 1, Section 1, Right of Privacy. Inconsistent with Ed Code 44244 requiring specification of "acts or omissions charged" as condition to disciplinary action by the Commission. Reference: No reference statute is stated for 80130-131 and none has been found which authorizes the Commission or any state agency to speak for the teaching profession. Legislative interests in establishing the Commission

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TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
(80130 Rationale Continued)		was that it speak for the Legislature and all of the people to persons who perform services in grades 12 and below in the public schools and to persons and institutions which prepare persons to provide those services. EC 44202, ED 44225.