STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor

COMMISSION FOR TEACHER PREPARATION AND LICENSING
1020 O STREET
SACRAMENTO, CALIFORNIA 95814
(916) 445-6772

OFFICE OF THE EXECUTIVE SECRETARY

August 7, 1981

81-8202

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

FROM: John F. Brown, Executive Secretary

SUBJECT: September 3, 1981 Public Hearing to Review Title 5 Regulations

The second of five scheduled public hearings to review Title 5 Regulations will be held on September 3, 1981 at the Mansion Inn, 700 16th Street in Sacramento, California at 1:30 p.m.

This coded correspondence provides you with a review, conducted by Commission staff, of each regulation to be considered at the September public hearing. This information will enable you to address the staff recommendations, as well as to provide input independent of these recommendations.

This series of five public hearings is being held in accordance with recently enacted legislation (AB 1111) which requires all state agencies to review regulations added to the California Administrative Code prior to July 1, 1980 (Reference: CC 80-8129, dated June 10, 1981).

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 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 SEPTEMBER 3, 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 August 20, 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
Article 1. General Provisions 6620. Definitions. "Cooperating institution" is a college or university accredited by the State Board of Education for a program leading to the appropriate credential, or an out-of-state college or university that is both eligible to become a cooperating institution (if approved by the Bureau for this purpose) and approved for certification purposes by the appropriate agency of the state in which it is located. NOTE: Authority cited: Sections 152 and 13225, Education Code. *History:* 1. Transfer of Subchapter 18.3 of Chapter 1 to Division 7, Chapter 1, with same section numbers, filed 1-14-70 (Register 70, No. 3). For prior history see Register 67, No. 51 and 68, No. 48. 2. Certificate of Compliance filed 3-23-70 (Register 70, No. 13).	Repeal/Replace with regulations consistent with the Internship Act of 1967 and the needs of public schools.	Consistency. Terminology is outdated and thereby inconsistent with existing law. Necessity. Regulation has neither been reviewed nor implemented in over 10 years. It is at least questionable as to whether or not this regulation continues to reflect the purpose of the statutes, in light of the changes that have occurred both in the law and in the needs of public schools over the past 10 years.
6621. Custody of Credential. The district or county superintendent shall keep the credential in its files so long as the intern is performing service under the credential in the district that requested its issuance. Upon separation of the intern from that district's program the credential is invalid, and the district shall forward it to the Bureau for cancellation.	Repeal/Replace with regulations consistent with the Internship Act of 1967 and the needs of public schools.	Same rationale as made for Section 6620.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
Article 2. Procedure for Establishing a Program 6622. Procedure. (a) A district desiring to develop an internship program shall file with the Bureau of Teacher Education and Certification, State Department of Education, a preliminary statement of intent to develop such a program. The statement shall contain all the following: (1) A brief description of the district's plans. (2) The names of cooperating institutions. (3) A declaration that each named cooperating institution has signified its willingness to cooperate in the development of the internship program. (4) A general brief review of the financial and personnel resources tentatively proposed to be used by the district and cooperating institution in the program. (b) If the Bureau approves the district's preliminary statement, it shall give written notice thereof to the district and the cooperating institution. (c) Upon receipt of approval of the preliminary statement the district shall proceed to develop in cooperation with the cooperating institution(s) the written agreement required by Section 6624.	Repeal/Replace with regulations consistent with the Internship Act of 1967 and the needs of public schools.	Same rationale as made for Section 6620.
Article 3. Application for the Credential 6623. Requirements. An applicant for an internship credential issued or renewed under the Teacher Education Internship Act of 1967 shall comply with the procedure prescribed for application (Article 3, commencing with Section 6025, of Subchapter 18), except that the application shall be submitted through his employing school district, and shall submit therewith, in addition, the following documents: (a) The applicant's written statement that he intends to complete the requirements for the standard credential. (b) Evidence that he holds a baccalaureate degree from an institution that is approved for credential purposes by the State Board of Education. (c) The written recommendation required by Education Code Section 13225 from a district (or district and county superintendent when applicable) which has on file with the Bureau a copy of the written agreement described in Section 6624 between the district and a cooperating institution.	Repeal/Replace with regulations consistent with the Internship Act of 1967 and the needs of public schools.	Same rationale as made for Section 6620.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
6624. Prerequisite to Issuance of Credential. In order that the Bureau of Teacher Education and Certification may make the determination required of it by Education Code Section 13225, the school district through which an application for a credential is submitted shall submit evidence that the district and cooperating institutions have mutually agreed upon the plan required by Education Code Section 13225. The evidence shall consist of a copy of the contract between the district and the cooperative institution setting forth their respective obligations with respect to the plan. The written agreement shall, among other things: (a) Contain the following conditions respecting admission to the program. (1) A person shall not be admitted to an intern program unless he has earned a baccalaureate or higher degree from an institution approved by the State Board of Education for certification purposes. (2) A person shall not be admitted to, or retained in, an intern program unless he can qualify for the appropriate standard credential upon completion of the program. (3) A person shall not be admitted to an internship program unless he can matriculate in the cooperating institution(s) for purposes of completing the program. (4) A person shall not be admitted to a supervision or administration intern program unless he holds a regular appropriate basic teaching or service credential. (5) A person shall not be admitted to an administration intern program unless he has had five years of appropriate full-time teaching or service experience required for the standard credential. (b) Contain provisions respecting interns in the program as follows: (1) The minimum standard of performance expected. (2) The procedure for separation of an intern who does not meet the minimum standard of performance. (3) The salaries to be paid the interns (the salaries shall not be less than the amounts specified in Education Code Section 13237). (4) The number of preparations required. (This number should be kept to a minimum at or below the average for the district's regular teachers). (5) A limitation of the number of pupils enrolled in any self-contained class to which a teaching intern is assigned. (A maximum number of 25 pupils is recommended.) (6) A limitation of intern teaching assignments in departmentalized classes to subjects within majors and minors designated on the intern's credential.	Repeal	No statutory authority. The law (E.C. 13225) which this regulation implements was repealed in 1970.

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
6624. Prerequisite to Issuance of Credential (Continued). (c) Contain, or have attached as an exhibit and incorporated by reference, a detailed description of the internship program to be conducted under the agreement, including provisions for at least the following: (1) The use to be made of the evaluations provided by the Bureau. (2) The extent to which the district will: (A) Give special supervision and assistance to each intern in addition to that given to other newly certificated and newly employed persons. (B) Counsel each intern respecting unmet requirements for the standard credential toward which he is working and develop an orderly program for the completion of those requirements. (3) The extent to which the cooperating institution will provide the supervision, assistance and counsel to the intern. (4) The obligations undertaken by the cooperating institution in the program. (d) Have attached to it the following documents: (1) A general brief review of the financial and personnel resources to be used by the district and the cooperating institution in the program. (2) The endorsement of the head of the teacher education at each cooperating institution certifying that the institution participated in the planning and development of the program. (3) A declaration by the superintendent of the district that the program meets the instructional or service needs of the district.		

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
6685. Evaluation of Institutions. Evaluation of an institution for accreditation as a teacher education institution shall be made by the Accreditation Committee. The Accreditation Committee shall present its recommendations to the State Board of Education. NOTE: Authority cited for Chapter 3 (§§ 6685–6692 and 6694–6699): Section 13101, Education Code. *History:* 1. Editorial renumbering of Subchapter 3.5, Sections 800–807 and 820–826, to Division 7, Chapter 3, Sections 6685–6692 and 6694–6699, respectively (Register 70, No. 9—2-28-70). For prior history, see Registers 54, No. 11; No. 12; 63, No. 18.	Repeal	Not Necessary (Obsolete). Originally adopted by the State Board of Education for the purpose of accrediting teacher education institutions, this regulation is out-dated and without meaning under current Commission policy and practice.
6686. Accreditation Committee. (a) The term of members of the accreditation committee shall be four years, except that any member who is an employee of the State Department of Education shall serve at the pleasure of the State Board of Education. A vacancy occurring prior to the expiration of the term of appointment shall be filled in the same manner as an original appointment, and the appointment shall be for the duration of the unexpired term. (b) The President of the State Board of Education and the State Superintendent of Public Instruction shall each serve ex officio as a member of the Accreditation Committee, but shall not be counted for purposes of a quorum.	Repeal	Same rationale as specified for Section 6685.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
6687. Application and Procedure for Accreditation. (a) An institution applying for accreditation pursuant to Section 13101 of the Education Code shall submit to the Accreditation Committee a written application for accreditation, together with such other material as the Accreditation Committee shall request. (b) The institution shall prepare and submit to the Accreditation Committee a report of the institution based upon the "Instruction for Institutions to be Surveyed" contained in the "Manual of Accrediting Procedures," prepared by the Joint Committee on Accreditation of the State Board of Education and the Western College Association. (c) The Accreditation Committee (or a visitation committee representing it) following receipt of the report shall visit the institution for purposes of evaluation. (d) The institution shall make available for evaluation by the Accreditation Committee (or by a visitation committee representing it) the following and such other material as requested: (1) Records of the institution concerning financial and physical resources, faculty qualifications, salary schedule, teaching load, courses, programs, admission requirements, marking scale of the institution, and student personnel records. (2) Physical facilities and equipment of the institution. (e) Upon the basis of the Accreditation Committee's evaluation of the institution and its determination that the institution meets the standards for accreditation, the Accreditation Committee shall recommend to the State Board of Education that the institution be accredited.	Repeal	Same rationale as specified for Section 6685.
6688. Period of Initial Accreditation. A qualified teacher education institution not previously accredited shall be accredited for a period beginning on the date designated by the State Board of Education and ending on the fourth succeeding June 30th.	Repeal	Same rationale as specified for Section 6685.
6689. Period of Renewal of Accreditation. Renewal of accreditation shall be for a period of five years from the date of expiration of the previous accreditation period, except that when, in the opinion of the Accreditation Committee and the State Board of Education, an institution warrants special consideration, renewal may be for a period less than five years.	Repeal	Same rationale as specified for Section 6685.
6690. Conditions of Renewal. Renewal of accreditation shall be subject to evaluation of the institution, recommendation for renewal by the Committee on Accreditation, and approval by the State Board of Education.	Repeal	Same rationale as specified for Section 6685.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
6691. Effect of Termination of Accreditation. A student who in good faith begins a teacher training course in an institution whose accreditation is subsequently terminated and who completes the teacher training course in that institution within the first year following such termination may apply for a credential direct to the State Board of Education and credit for this work shall be accepted toward appropriate credential requirements.	Repeal	Same rationale as specified for Section 6685.
6692. Responsibility of the Accreditation Committee. It is the responsibility of the Accreditation Committee: (a) To study and to recommend to the State Board of Education the standards to be established by the State Board of Education for the undergraduate and graduate work to be required as a basis for accreditation of the institution. (b) To recommend to the State Board of Education those institutions which have met the established standards and which should be authorized to offer the undergraduate or graduate work required for any or all credentials. (c) To study, formulate, and recommend methods and procedures for evaluating teacher education institutions and their programs, based upon, but not limited to: (1) Institution administration and organization. (2) Student personnel program. (3) Faculty. (4) Library. (5) General education program. (6) Academic majors and minors. (7) Credential programs.	Repeal	Same rationale as specified for Section 6685.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
6694. Eligibility. A teacher education institution to be accredited pursuant to Education Code Section 13101 shall maintain all of the applicable standards specified in this article. 6695. General Requirements. A teacher education institution shall be accredited by a recognized regional accrediting association and shall have: (a) Adequate financial resources. (b) Adequate physical facilities, including, but not limited to, housing, equipment, library, and student teaching facilities either on or off campus. (c) Adequate staff. (d) Adequate procedures for admission, exclusion, guidance, and evaluation of students. (e) Programs of studies in accordance with this article. (f) A well-balanced general education program which deals with the broader aspects of human culture. (g) Opportunities for field work and other professional laboratory experiences. (h) Other appropriate resources all of the kind and type which provide an appropriate program of education for candidates for credentials.	Repeal	Same rationale as specified for Section 6685.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
6696. Courses in Preparation for Teaching Elementary and Secondary School Subjects Required by the Education Code and Title 5 of the California Administrative Code. (a) To be accredited to recommend candidates for an elementary teaching credential, a teacher education institution shall require every candidate for the credential either to complete a program of courses which include preparation to teach all the subjects required by statute and by the regulations of the State Board of Education to be taught in the elementary schools including preparation to teach personal, family, and community health, including the effects of alcohol, tobacco, dangerous drugs and narcotics on the human body, or to demonstrate competency in such subjects and shall offer the candidate opportunities within the institution for meeting this requirement. (b) To be accredited to recommend candidates for a secondary teaching credential, a teacher education institution shall require every candidate for the credential either to complete a program of courses which include preparation to teach those subjects appropriate for the authorization of the credential sought which are required by statute and by the regulations of the State Board of Education to be taught in secondary schools, including preparation to teach personal, family, and community health, including the effects of alcohol, tobacco, dangerous drugs and narcotics on the human body, or to demonstrate competency in such subjects and shall offer the candidate opportunities within the institution for meeting this requirement. (c) To be accredited to recommend a candidate for a teaching credential, a teacher education institution shall include within appropriate professional courses required for any credential instruction in the use and educational value of audio and visual aids. *History:* 1. Amendment filed 1-26-71; effective thirtieth day thereafter (Register 71, No. 5).	Repeal	Same rationale as specified for Section 6685.
6697. Graduate or Postgraduate Work. The graduate or postgraduate work offered by a teacher education institution in fulfillment of the requirements for a credential shall be of an advanced character, shall be of such a nature as to demand independence of attack and high quality of accomplishment, and shall require a higher standard of scholarship than that usually required for success in undergraduate work. Such work shall be under the direction of faculty members of demonstrated scholarship and teaching competence.	Repeal	Same rationale as specified for Section 6685.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
6688. Programs for Administration Credentials. (a) The graduate programs required for elementary administration, secondary administration, or general administration credentials shall be directed by at least one regular full-time faculty member whose major field of preparation is school administration and who devotes a major portion of his teaching time to courses in school administration. (b) A minimum of three-fourths of the graduate program for an administration credential offered during the regular academic year shall be taught by resident full-time staff members. (c) Courses offered for an administration credential must be acceptable as graduate credit by a California institution authorized to grant an advanced degree. (d) The number and pattern of graduate courses for administration credentials offered during the regular academic year shall be the basis upon which the Accreditation Committee evaluates the institution's competence to recommend candidates for administration credentials.	Repeal	Same rationale as specified for Section 6685.
6699. Additional Minimum Requirements for Accreditation to Authorize the Institution to Recommend the Issuance of the General Secondary, Supervision, or Administration Credentials. In addition to meeting the standards set forth in this article, a teacher education institution to be authorized to give the training required for, and to recommend to the State Board of Education the issuance of, the general secondary, supervision, or administration credentials shall maintain a program of graduate studies leading to a recognized advanced degree.	Repeal	Same rationale as specified for Section 6685.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80150. Definitions. For purposes of this chapter: (a) "Commission" means the Commission for Teacher Preparation and Licensing as constituted under Education Code Section 44210. (b) "Executive Secretary" means the Executive Secretary to the Commission pursuant to Education Code Section 44220. (c) "Chairman" means the Chairman of the Commission pursuant to Education Code Section 44218. (d) "Vice-Chairman" means the Vice-Chairman to the Commission. NOTE: Authority cited: Section 44225, Education Code. HISTORY: 1. New Article 1 (Sections 80150–80189, not consecutive) filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2).	Repeal	Pursuant to Government Code 11371, the Commission is not required to adopt administrative regulations which relate only to its internal management. ("Internal Management" is distinguished from matters which touch and concern the rights or duties of the persons regulated by the Commission, such as issuance, denial, revocation, or suspension of credentials, and/or the approval of preparation programs.) Rules relating to internal management only may, and should be placed in the Policy Manual of the Commission.
80153. Officers. The officers of the Commission shall be the Chairman, the Vice-Chairman, and the Executive Secretary. NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44218, Education Code.	Repeal	Pursuant to Government Code 11371, the Commission is not required to adopt administrative regulations which relate only to its internal management. ("Internal Management" is distinguished from matters which touch and concern the rights or duties of the persons regulated by the Commission, such as issuance, denial, revocation, or suspension of credentials, and/or the approval of preparation programs.) Rules relating to internal management only may, and should be placed in the Policy Manual of the Commission.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80156. Chairman and Vice-Chairman. (a) Each year at the last regular meeting of the calendar year, the members of the Commission shall select two of their members to serve as Chairman and Vice-Chairman, respectively. They shall take office as the last order of business at the meeting at which they are elected. (b) The Chairman and Vice-Chairman of the Commission shall not be elected for more than two consecutive terms plus any unexpired terms to which he or she may have previously been elected. NOTE: Authority cited: Section 44225, Education Code.	Repeal	Pursuant to Government Code 11371, the Commission is not required to adopt administrative regulations which relate only to its internal management. ("Internal Management" is distinguished from matters which touch and concern the rights or duties of the persons regulated by the Commission, such as issuance, denial, revocation, or suspension of credentials, and/or the approval of preparation programs.) Rules relating to internal management only may, and should be placed in the Policy Manual of the Commission.
80159. Chairman. The Chairman shall be the presiding officer at meetings of the Commission and shall be an ex officio member of all committees. NOTE: Authority cited: Section 44225, Education Code.	Repeal	Pursuant to Government Code 11371, the Commission is not required to adopt administrative regulations which relate only to its internal management. ("Internal Management" is distinguished from matters which touch and concern the rights or duties of the persons regulated by the Commission, such as issuance, denial, revocation, or suspension of credentials, and/or the approval of preparation programs.) Rules relating to internal management only may, and should be placed in the Policy Manual of the Commission.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80162. Vice-Chairman. In the absence of the Chairman or in the case of his or her inability to act, the Vice-Chairman shall preside at meetings of the Commission. The Vice-Chairman shall be an ex officio member of all committees. **NOTE: Authority cited: Section 44225, Education Code.**	Repeal	Pursuant to Government Code 11371, the Commission is not required to adopt administrative regulations which relate only to its internal management. ("Internal Management" is distinguished from matters which touch and concern the rights or duties of the persons regulated by the Commission, such as issuance, denial, revocation, or suspension of credentials, and/or the approval of preparation programs.) Rules relating to internal management only may, and should be placed in the Policy Manual of the Commission.
80165. Vacancy. In the event that there is an interim vacancy in the office of the Chairman or the Vice-Chairman, a successor may be elected by the Commission to hold office for the unexpired term. **NOTE: Authority cited: Section 44225, Education Code.**	Repeal	Pursuant to Government Code 11371, the Commission is not required to adopt administrative regulations which relate only to its internal management. ("Internal Management" is distinguished from matters which touch and concern the rights or duties of the persons regulated by the Commission, such as issuance, denial, revocation, or suspension of credentials, and/or the approval of preparation programs.) Rules relating to internal management only may, and should be placed in the Policy Manual of the Commission.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80168. Chairman Pro Tempore. In case of the absence or inability to act of both the Chairman and Vice-Chairman at a meeting, the Commission shall elect for that meeting a Chairman or Vice-Chairman. NOTE: Authority cited: Section 44225, Education Code.	Repeal	Pursuant to Government Code 11371, the Commission is not required to adopt administrative regulations which relate only to its internal management. ("Internal Management" is distinguished from matters which touch and concern the rights or duties of the persons regulated by the Commission, such as issuance, denial, revocation, or suspension of credentials, and/or the approval of preparation programs.) Rules relating to internal management only may, and should be placed in the Policy Manual of the Commission.
80171. Executive Secretary. (a) The Executive Secretary shall perform and discharge under the direction and control of the Commission the powers, duties, purposes, functions, and jurisdiction vested in the Commission and delegated to the Executive Secretary by the Commission. (b) Any power, duty, purpose, function, or jurisdiction which the Commission may lawfully delegate shall be conclusively presumed to have been delegated to the Executive Secretary unless it is shown that the Commission specifically has reserved the same for its own action. NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44220.	Retain	The Commission acts through its Executive Secretary (EC 44220) who exercises the authority of the Commission by virtue of its delegation. This section gives notice to the public of the part and extent of the Executive Secretary's authority. Meets the tests of consistency, clarity and appropriate reference (EC 44220).

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80174. Duties of the Officers. The officers of the Commission shall have such powers and shall perform such duties in addition to those set forth in this chapter as may be delegated to them by the Commission. NOTE: Authority cited: Section 44225, Education Code.	Repeal	Not necessary as regulations. Transfer to Policy Manual.
80177. Staff of the Commission. (a) The Executive Secretary shall employ and fix the compensation, in accordance with law and within Commission policies, of such assisting staff as the Executive Secretary deems necessary to effectively conduct the work of the Commission. (b) The Executive Secretary may authorize such assisting staff to perform, in the name of the Executive Secretary, any of the authorized duties of the Executive Secretary. NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44221, Education Code.	Repeal	Not necessary as regulations. Transfer to Policy Manual.
80180. Administrative Review of Grievance. (a) Where an individual or entity has a grievance against the Commission or Executive Secretary for which no remedy has been expressly provided in these regulations, said individual or entity shall have a right of administrative review of such grievance by the Commission. (b) An administrative review pursuant to this section shall be held in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. NOTE: Authority cited: Section 44225, Education Code.	Repeal	Not necessary as regulations. Transfer to Policy Manual.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80190. Regular Meetings. (a) The schedule of regular meetings for the Commission for each calendar year shall be prepared by the Executive Secretary and shall be adopted by resolution at the last regular Commission meeting of the preceding fiscal year. (b) The regular meetings shall be held primarily in Sacramento, but may be held any place in California designated by the Commission. NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44219, Education Code. HISTORY: 1. New Article 2 (Sections 80190–80217, not consecutive) filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2).	Repeal	Not necessary as regulations. Transfer to Policy Manual.
80193. Extraordinary Meetings. (a) The Chairman may call an extraordinary meeting of the Commission at any time; the Chairman shall call an extraordinary meeting upon the written request of five or more voting members of the Commission. (b) Notice of the time, place, and purpose of an extraordinary meeting shall be mailed to every member of the Commission at his or her last known residence or place of business not later than ten calendar days before such meeting. (c) No business other than that mentioned in the notice of such meeting shall be considered thereat. (d) A record of the service of notice shall be entered upon the minutes of the Commission and these minutes, when read and approved at the next regular meeting of the Commission, shall be conclusive of the fact that notice was given as required. NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44219, Education Code.	Repeal	Not necessary as regulations. Transfer to Policy Manual.
80196. Quorum for Transaction of Business. The presence of a majority of the members of the Commission shall constitute a quorum for the transaction of business. For purposes of this section, "members" shall mean the number of members specified in Education Code Section 44210. NOTE: Authority cited: Section 44225, Education Code.	Repeal	Not necessary as regulations. Transfer to Policy Manual.

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POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80199. Adjournment When No Quorum. Any meeting may be adjourned and its business continued to an appointed day by the vote of a majority of the members present, even though there is less than a quorum. NOTE: Authority cited: Section 44225, Education Code.	Repeal	Not necessary as regulations. Transfer to Policy Manual.
80202. Public Meeting and Executive Sessions. (a) All meetings of the Commission shall be open and public unless an Executive Session. (b) Executive Sessions are restricted to the following: (1) Meetings and hearings to consider the suspension, revocation, or denial of credentials pursuant to Education Code Sections 44245–44247; (2) Considerations of confidential or personal information as defined in Government Code Section 1798.3, except that the session may be open and public upon request of the individual to whom the information pertains; (3) Personnel matters as described in Government Code Section 11126; and (4) Other matters in accordance with law. NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44231, 44245, 44246, and 44247.	Repeal	Not necessary as regulations. Transfer to Policy Manual.
80205. Minutes of Commission Meetings. (a) Unofficial minutes of each Commission meeting shall be prepared by the Executive Secretary from the stenographic notes, taped record, and notes taken by the Executive Secretary. (b) Such minutes of each regular meeting shall be sent by mail to each member of the Commission not later than ten calendar days before the next regular meeting. NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44220, Education Code.	Repeal	Not necessary as regulations. Transfer to Policy Manual.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80208. Agenda for Commission Meetings. (a) The agenda for each meeting shall be prepared by the Executive Secretary at the direction of the Chairman, except that the Chairman may prepare the agenda for an extraordinary meeting. (b) An agenda for each regular meeting shall be mailed to each member of the Commission not later than ten calendar days before the regular meeting. NOTE: Authority cited: Section 44225, Education Code.	Repeal	Not necessary as regulations. Transfer to Policy Manual.
80211. Presentation to the Commission. (a) Written statements to the Commission, or one of its committees, shall be submitted to the Executive Secretary, and shall be presented to the Commission by the Executive Secretary. (b) Persons wishing to make an oral presentation to the Commission, or one of its committees, shall abide by the following procedure. (1) A written request to address the Commission or one of its committees shall be made to the Executive Secretary prior to the meeting at which the requested presentation is to be made. The Executive Secretary shall present the request to the Commission or a committee at the meeting to be addressed. (2) The request shall include the name and address of the person requesting to speak, the name of the organization or group represented, if any, and a statement of the subject to be presented. (3) The proposed speaker may speak only if and when recognized by the Chairman. (4) Five minutes may be allotted to each subject matter, subject to extension by the Chairman. NOTE: Authority cited: Section 44225, Education Code.	Repeal	Not necessary as regulations. Transfer to Policy Manual.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80214. Rules of Order. The rules contained in the latest edition of *Robert's Rules of Order* shall govern the Commission, except that they shall not take precedence over state law or over these regulations. NOTE: Authority cited: Section 44225, Education Code.	Repeal	Not necessary as regulations. Transfer to Policy Manual.
80217. Procedure for Amendment of Provisions. Provisions of this part may be amended at any regular meeting of the Commission by the affirmative vote of a majority of the members of the Commission, and subject to the provisions as set forth in Education Code Section 44230 and in Chapter 4.5 (commencing with Section 11371) of Part 1 of Division 3 of Title 2 of the Government Code. For purposes of this section, "members" shall mean the number of members specified in Education Code Section 44210. NOTE: Authority cited: Section 44225, Education Code.	Repeal	Not necessary as regulations. Transfer to Policy Manual.
80225. General Provisions. The Political Reform Act, Government Code Sections 81000, *et seq.*, requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Adm. Code Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Adm. Code Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Commission for Teacher Preparation and Licensing. Pursuant to Section 4(A) of the standard Code, designated employees shall file statements of economic interests with their agencies. Upon receipt of the statements of the Commissioners, the agency shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission. NOTE: Authority cited: Sections 87300 and 87304, Government Code. Reference: Section 87300, et seq., Government Code.	Retain, but instruct Office Administrative Law to publish Art. 3, Conflict of Interest Code, by reference only.	Sections 80225 thru 80232 are required by the Political Reform Act, Government Code 8100, et seq, but need not be set forth in full in the published regulations.

cont.

TITLE 5 REGULATION

STAFF RECOMMENDATION

RATIONALE

continued - 80225

HISTORY:
1. New Chapter 2 (Sections 80225–80232) filed 3-8-78; effective thirtieth day thereafter. Approved by the Fair Political Practices Commission 10-4-77 (Register 78, No. 10).
2. Redesignation of Sections 80225–80232 as Article 3 of Chapter 2 filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2).
3. Repealer of Article 3 (Sections 80225–80232) and new Article 3 (Section 80225 and Appendix) filed 2-26-81; effective thirtieth day thereafter. Approved by the Fair Political Practices Commission 12-1-80 (Register 81, No. 9).

APPENDIX

Designated Position	*Disclosure Categories*
Commissioner	I, II and III
Executive Secretary	
Assistant Executive Secretary	
Director of Programs and Licensing	
Chief of Programs	
Chief of Licensing	
Chief of Administration	
Consultants, including Education Project Specialists, Research and Evaluation Consultants, and Consultants in Teacher Preparation	
Chief of Professional Standards	I and III
Staff Counsel I, and above	II and III

Disclosure Categories

I. Persons in Category I shall report any managerial positions and income from any school, college, or university offering courses or curricula which are approved by the Commission.

II. Persons in Category II shall report investments, managerial positions, and income to the extent they know or have reason to know that the business entity in which the investment or managerial position is held, or the source of income is engaged in providing research work, program development, program auditing, testing and examinations, or professional consulting work or services of the type utilized by the Commission.

III. Persons in Category III shall report investments, managerial positions, and income to the extent that they know or have reason to know that the business entity in which the investment or managerial position is held or the source of income is one which renders services or sells products or equipment of the type utilized by the Commission, or manufactures, wholesales, or distributes such products or equipment.

STAFF REVIEW

POTENTIAL DISCREPANCIES BETWEEN TITLE 5 REGULATIONS AND THE FIVE STATUTORY STANDARDS

TITLE 5 REGULATION	STAFF RECOMMENDATION	RATIONALE
80250. Policies Established by the Executive Secretary. Pursuant to Civil Code Section 1798.20 the Executive Secretary shall establish Commission policies for Commission staff involved in the design, development, operation, disclosure or maintenance of records containing personal or confidential information. The Executive Secretary shall instruct said staff with respect to such rules and to the requirements of Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code, and shall from time to time report thereon to the Commission. NOTE: Authority cited: Section 1798.20, Civil Code. HISTORY: 1. New Article 4 (Sections 80250 and 80255) filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2).	Repeal	This section is redundant to the statute (CC 1798.20) and is unnecessary.
80255. Administrative Remedy. (a) When an indivdual is entitled under Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code to gain access to, inspect, copy, or amend information held by the Commission, and where said individual is denied such right by the staff of the Commission, he or she may appeal such denial to the Commission. (b) Pursuant to Civil Code Section 1798.40 an individual whose information held by the Commission has been classified as confidential may request that the Commission review the classification. Such request shall be filed with the Commission within 30 days of notification of the classification. Within 30 days subsequent to said review the Commission shall notify the individual of the findings of the review. (c) An appeal pursuant to this section shall be in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. NOTE: Authority cited: Section 1798.20, Civil Code. Reference: Section 1798.40, Civil Code.	Retain	This regulation is necessary to comply with the statute (CC 1798.20) and to give notice to persons regulated of their rights under the Information Practices Act.