

COMMISSION FOR TEACHER PREPARATION AND LICENSING

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March 12, 1982

81-8228

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

FROM: *John F. Brown*
John F. Brown, Executive Secretary

SUBJECT: Proposed Repeal or Amendment of Title 5 Regulations

The Commission for Teacher Preparation and Licensing has held five (5) Public-Hearings-to-Review it's Title 5 Regulations in accordance with Chapter 567 of the Statutes of 1980 (AB 1111). In further compliance with Chapter 567/80, a Public Hearing has been scheduled to repeal or amend those Title 5 Regulations reviewed at the September, November and December 1981 meetings of the Commission.

DATE: May 5, 1982

TIME: 1:00 p.m.

PLACE: Mansion Inn, 16th and H streets, Sacramento, CA

The Informative Digest found on pages 2 and 3 provides a summary of the rationale for the proposed repeal or amendment of the Title 5 Regulations. The chart on pages 4 and 5 indicates the number, title and proposed action for each of the Title 5 Regulation Sections that will be repealed or amended at the May Public Hearing.

Please feel free to duplicate and distribute these proposed Title 5 regulations to anyone you believe might be interested in responding.

If you wish to make a presentation regarding the above to the Commission, 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 if you plan to make a presentation in order to schedule sufficient time on the agenda for people who wish to address the Commission.

If you do not want to make a presentation or submit a statement regarding the proposed Title 5 Regulations, you can reply on the Response Form found on the last page.

INFORMATIVE DIGEST

This Informative Digest contains a concise and clear summary of the existing laws and regulations where necessary to explain the effect of the proposed amendment. However, most of these amendments are procedural, not substantive, in content and character serving primarily to clarify the regulation by minor rewriting, to delete those portions of the regulation that are not authorized by or consistent with its reference statute, consolidation to bring into one regulation directly related provisions scattered currently in separate regulations, and to delete regulatory duplication of statutory law.

The terminology in Sections 6620, 6621, 6622 and 6623 is outdated, inconsistent with existing law and therefore proposed for repeal. These sections have neither been reviewed nor implemented since 1971.

Section 6624, written to implement a statute (E.C. 13225) which was repealed in 1970, is proposed for repeal.

Sections 6685, 6686, 6687, 6688, 6689, 6690, 6691, 6622, 6694, 6695, 6696, 6697, 6698, and 6699 were originally adopted by the State Board of Education for the purpose of accrediting teacher education institutions. These regulations are out-dated and without meaning under current statutes and Commission policy and practice. Therefore these sections are proposed for repeal.

Section 80403 is proposed for repeal because E.C. Section 44202 already makes clear the authority for granting credentials.

Section 80409 is proposed for repeal because E.C. Section 44862 already specified these qualifications.

There is no statutory authority for Section 80427 and therefore it is proposed for repeal.

Section 80460 is not necessary in that the Education Code and Title 5 already specify the requirements for issuance of credentials and therefore it is proposed for repeal.

Section 80469 is proposed for repeal because it is a nonsubstantive procedure which does not affect a candidate's credential eligibility and may be properly placed in the Commission's policy file.

Section 80508 is not necessary in that the Education Code and Title 5 already specify requirements for issuance and therefore it is proposed for repeal.

Sections 80541, 80544, 80547 and 80550 are not necessary in that E.C. Sections 22, 23, 44342 and 44343 already provide "grandfather" protection to holders of prior credentials, including the availability of life diplomas. These sections are therefore proposed for repeal.

The proposed amendment to Section 80418 deletes subsections (a) and (c) which are already specified in E.C. Sections 44259 and 44285.

The proposed amendment to Section 80421 makes this regulation consistent with the statutes, E.C. Section 44261.

The proposed amendments to Sections 80436, 80439 and 80440 are necessary to make clear the steps which constitute the place(s) of filing an application, the date of filing of applications and the date of issuance of credentials.

The proposed amendment to Subsection (c) of Section 80448 is to clarify that the applicant must complete the affidavit required in lieu of an official transcript.

The proposed amendments to Sections 80451, 80484 and 80490 delete references to the method of paying fees to the Commission, leaving this open to any legal method of payment.

The proposed amendment to Section 80457 is to clarify the standards and the specific procedures for accepting college or university work for purposes of certification in California. The proposed amendment to Subsection (b) is to implement E.C. Section 44227 (AB 836, chaptered September 23, 1981).

The proposed amendment to Section 80472 makes it consistent with statutes; and limits the reciprocity agreement to the Multiple and Single Subject teaching credentials, as consistent with Commission policy.

Sections 80475 and 80478 are proposed for repeal because the substance of both sections are included within the proposed amended Sections 80436, 80439 and 80440.

The proposed amendment to Section 80493 is necessary to clarify the terms of issuance and renewal of credentials; current language is not clear.

The proposed amendments to Sections 80505, 80514, 80517, 80520, 80523, 80511, 80526, 80529, 80532, 80519, 80535 and 80538 are necessary to clarify and delineate the sequence of events, time deadlines and notification procedures for the appeal of credential applications denied by the Commission. Sections 80512 and 80519 have been added for purpose of clarity and to ensure consistency with appeal procedures stipulated in Chapter 5, commencing with Section 11508 of Part 1 of Division 3 of Title 2 of the government code.

TITLE 5 SECTION	TITLE	PROPOSED ACTION	
		Repeal	Amend
6620	Definitions (Internships)	X	
6621	Custody of Credential	X	
6622	Procedure for Establishing a Program	X	
6623	Requirements (for an Internship Cred.)	X	
6624	Prerequisite to Issuance of Credential	X	
6685	Evaluation of Institutions	X	
6686	Accreditation Committee	X	
6687	Application and Procedure for Accreditation	X	
6688	Period of Intital Accreditation	X	
6689	Period of Renewal of Accreditation	X	
6690	Conditions of Renewal	X	
6691	Effect of Termination of Accreditation	X	
6692	Responsibility of the Accreditation Committee	X	
6694	Eligibility (for Accreditation)	X	
6695	General Requirements (for Accreditation)	X	
6696	Courses in Preparation for Teaching (for purposes of Accreditation)	X	
6697	Graduate or Postgraduate Work	X	
6698	Programs for Administrative Credentials	X	
6699	Additional Minimum Requirements for Accreditation to Recommend for certain Credentials	X	
80403	Authority for Granting Credentials	X	
80409	Qualified Applicant	X	
80427	Interruption of Preparation by Military Service	X	
80460	Issuance of Credentials	X	
80469	Delivery of Credentials to a County Supt. of Schools	X	
80508	Failure to Meet Requirements	X	
80541	Life Diplomas	X	
80544	Application Procedure	X	
80547	Material to Accompany Applications	X	
80550	Requirements (for Life Diploma)	X	
80418	Reading Requirement		X
80421	Health Education Unit Requirement		X
80436	Place of Filing of Application		X
80439	Date of Filing of Application		X
80463	Date of Issuance of Credentials		X
80448	Affidavits in Lieu of Official Transcripts		X
80451	Fees		X
80457	Acceptance of College or University Work for Purposes of Certification in California		X
80472	Completion of Approved Program or it's Equivalent		X
80475	Application Form	X	
80478	Date of Filing of Application; date of Issuance	X	

TITLE 5 Section (cont)	TITLE	PROPOSED ACTION	
		Repeal	Amend
80484	Fees		X
80490	Renewal of Credentials		X
80493	Terms of Issuance and Renewal of Credentials		X
80505	Definitions		X
80514	Notice of Denial		X
80517	Date of Denial of Application		X
80520	Initiation of Appeal Procedure		X
80523	Time of Filing Appeal		X
80512	Initiation of Appeal Procedure	(New Section)	
80511	Duties of the Committee		X
80526	Rights of Applicants		X
80529	Closed Hearing		X
80532	Conduct of Hearing		X
80519	Notice of Committee Decision	(New Section)	
80535	Rehearing by the Commission		X
80538	Finality of Decision		X

TITLE 5 REGULATIONS

~~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).~~

~~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.~~

RATIONALE

Repeal.

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.

Repeal.

Same rationale as made for Section 6620.

TITLE 5 REGULATIONS

~~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.~~

~~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 8, commencing with Section 6025, of Subchapter 16); 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 18228 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.~~

RATIONALE

Repeal.

Same rationale as made for Section 6620.

Repeal.

Same rationale as made for Section 6620.

TITLE 5 REGULATIONS

RATIONALE

~~6024. - 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:~~

Repeal.

No statutory authority.
The law (E.C. 13225) which this regulation implements was repealed in 1970.

~~(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.~~

~~(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.~~

TITLE 5 REGULATIONS

RATIONALE

~~(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.~~

~~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. 0-2-28-70). For prior history, see Registers 54, No. 11; No. 12; 63, No. 18. - -~~

~~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.

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.

Repeal.

Same rationale as specified for Section 6685.

TITLE 5 REGULATIONS

~~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.~~

~~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.~~

~~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.~~

~~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.~~

RATIONALE

Repeal.

Same rationale as specified for Section 6685.

TITLE 5 REGULATIONS

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.~~

Repeal.

Same rationale as specified for Section 6685.

~~(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.~~

~~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.~~

Repeal.

Same rationale as specified for Section 6685.

~~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.~~

TITLE 5 REGULATIONS

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.~~

Repeal.

Same rationale as specified for Section 6685.

~~(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).

~~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.

~~6698. -- 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.~~

Repeal.

Same rationale as specified for Section 6685.

~~(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.~~

TITLE 5 REGULATIONS

RATIONALE

~~80403. - Authority for Granting Credentials.~~

~~Credentials authorizing public school service are granted and issued in accordance with the provisions of Chapter 2, Part 25, Division 3, Title 2 of the Education Code and the rules and regulations of the Commission.~~

~~NOTE: Authority cited: Section 44225, Education Code.~~

Repeal.

Not necessary. EC 44202 already makes clear the authority for granting credentials.

~~80400. - Qualified Applicant.~~

~~A qualified applicant is one who:~~

~~(a) Meets the requirements of Chapter 2, Part 25, Division 3, Title 2 of the Education Code;~~

~~(b) Has attained the age of 18 years pursuant to Education Code Section 44862; and~~

~~(c) Meets the requirements of the Commission as set forth in these regulations.~~

~~NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44862, Education Code.~~

Repeal.

Not necessary. Education Code already specifies these qualifications.

~~80427. - Interruption of Preparation by Military Service.~~

~~Where a person, while actively preparing to meet the requirements for a credential, enters the active military service of the United States during a national emergency or time of war, such person shall be issued a credential upon completion of the requirements as they existed prior to entrance into military service. Such requirements shall be completed within two years following the termination of active military service. Where the credential toward which the applicant was working is no longer issued, a credential authorizing identical or similar service shall be issued.~~

~~NOTE: Authority cited: Section 44225, Education Code.~~

Repeal.

No specific statutory authority.

~~80460. - Issuance of Credentials.~~

~~The Commission shall examine applications for credentials. When the Commission is satisfied that the applicant fully meets the standards set by it, the Commission shall issue to the applicant the proper credentials, unless otherwise provided herein.~~

~~NOTE: Authority cited: Section 44225, Education Code.~~

Repeal.

Not Necessary. Education Code and Title 5 already specify the requirements for issuance of credentials.

~~80469. - Delivery of Credentials to a County Superintendent of Schools.~~

~~Where a credential is issued by the Commission on an application filed through the office of the county superintendent of schools, the Commission shall transmit a copy of the credential, to such county superintendent of schools.~~

~~NOTE: Authority cited: Section 44225, Education Code.~~

Repeal.

This is a non substantive procedure which does not affect a candidate's credential eligibility, and may be properly placed in the Commission's policy file.

~~80508. - Failure to Meet Requirements.~~

~~An application for the issuance of a credential shall be denied if:~~

~~(a) The applicable provisions of this chapter have not been satisfied.~~

~~(b) The applicant's education, training, or experience does not satisfy the minimum requirements for the credential for which the applicant applied.~~

~~NOTE: Authority cited: Section 44225, Education Code.~~

Repeal.

The Education Code and Title 5 already specify requirements for issuance. It is not necessary to state in regulation that persons who do not meet those requirements will have their credential application denied.

TITLE 5 REGULATIONS

RATIONALE

80541. - Life Diplomas.

- (a) A life diploma may be granted only when based upon a "prior regular credential." A "prior regular credential" means any credential, other than an emergency or provisional credential, that the State Board of Education was authorized to issue prior to January 1, 1964.
- (b) Combination life diplomas shall not be issued.
- (c) A life diploma shall authorize the holder to perform the services named therein.

NOTE: Authority cited: Section 44225, Education Code.

Repeal.

Not necessary.

EC 22, EC 23, EC 44342, and EC44343 already provide "grandfather" protection for holders of prior credentials, including availability of life diplomas.

80544. - Application Procedure.

- (a) A separate application shall be submitted for a life diploma in each level or subject field for which application is made.
- (b) The application shall be submitted, on the form provided by the Commission, to the county superintendent of schools of the county in which the applicant is serving, or, if an applicant is not employed, to the county superintendent of schools of the county in which he or she last served.
- (c) When the application is approved by the county board of education, such approval shall be recorded on the county board of education recommendation form.
- (d) The application, when complete shall be submitted by the county superintendent of schools to the Commission. Such application shall include the materials required by Section 80547.

NOTE: Authority cited: Section 44225, Education Code.

Repeal.

Same rationale as specified for Section 80541.

80547. - Materials to Accompany Applications.

Each life diploma application shall include the following materials: (a) A recommendation from the California County Board of Education in which the applicant was last employed for one full school year. Such recommendation that the candidate has rendered successful educational service in the public schools of the county for a period of not less than eight consecutive school months and that the candidate is a fit person to possess a life diploma.

(b) Original letters of recommendation verifying 48 months of successful school experience, at least 24 of which have been in public schools of California or in schools maintained for minors by publicly controlled California institutions. Experience secured on the basis of an emergency or provisional credential shall not apply.

(c) A money order or check for the fees for issuance of a teaching credential specified in Section 80487.

(d) The applicant's county certificate or state credential which authorizes the specific service to be designated on the life diploma for which the application is made. A combination certificate or combination state credential may be used as a basis for a life diploma in each of the levels or subject fields named therein.

(e) Where the application is based upon an elementary county certificate granted upon examination, a complete record of the history of such certificate. If the county certificate was issued upon a certificate originally issued by the county board of education of another county upon examination, the latter certificate must also be submitted if in the possession of the applicant; if such original certificate is not in the possession of the applicant, the necessary information shall be secured from the county of original issue by the recommending county board of education.

(f) Where the application is based upon a county certificate issued upon a normal school diploma, the date of the normal school diploma which appears on the certificate. If such date does not appear on the certificate, both the county certificate and the normal school diploma shall be submitted.

NOTE: Authority cited: Section 44225, Education Code.

Repeal.

Same rationale as specified for Section 80541.

80550. - Requirements.

~~(a) In addition to any further requirements prescribed by the Commission or law, an applicant for a life diploma shall have completed the following requirements:~~

~~(1) In the case of applications for administration, supervision, attendance officer, or health and development life diploma, 48 school months of teaching experience. At least 21 of these months shall have been in the public schools of California; or in schools maintained for minors by publicly controlled California institutions; and must have been in the field of service to be listed in the life diploma for which application is made.~~

~~(2) In the case of applications for life diplomas other than those listed above, 48 school months of successful school experience. At least 21 of these months shall have been in the public schools of California or in schools maintained for minors by publicly controlled California institutions.~~

~~(b) Each 20 days of substitute service shall be accepted as one month of experience. In presenting evidence of such experience, the actual number of days thereof shall be submitted.~~

~~(c) Each 80 clock hours of night school or part-time service shall be accepted as one month of experience. In presenting evidence of such experience, the actual number of days thereof shall be submitted.~~

~~(d) In no case shall credit for more than one day or four clock hours of teaching experience be accepted for service rendered during any one calendar day.~~

~~NOTE: Authority cited: Section 44225, Education Code.~~

Repeal.
Same rationale as specified for Section 80541.

80418. Reading Requirement.

~~(a) Except as provided in subsection (b) of this section, an applicant for a teaching credential shall pass a Commission-approved examination demonstrating a knowledge of the various methods of teaching reading. The passing score for such examination shall be established by the Commission for each yearly period from September 1 to the following August 30.~~

~~(b) The reading requirement may be satisfied by completion of a Commission-approved program of study not to exceed four semester hours.~~

~~(c) This section shall not apply to any candidate for a single subject instruction credential who holds a degree in industrial arts, physical education, music, art, or home economics.~~

NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44259 and 44285, Education Code.

Amend.
Delete subsections (a) and (c), retain subsection (b). Subsections (a) and (c) are already specified in EC 44259 and 44285. Subsection (b) is needed to make clear the unit limitation of the approved program for reading.

80421. Health Education Unit Requirement

The health education unit requirement specified in Education Code Section 44261 shall be required of each applicant ~~for a full or clear~~ prior to initial issuance of any teaching credential. ~~issued in accordance with the provisions of Section 44259 of the Education Code.~~ This requirement may be satisfied by a course of study of at least one semester unit, or its equivalent, which may be offered or accepted by an accredited community college, college, or university. This required program of study shall not be required as part of the professional preparation defined in Section 44203 of the Education Code. The teacher education institution recommending the applicant for a ~~full or clear~~ credential or providing the required program of study shall certify that the applicant has completed satisfactorily the required course of study.

NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44261, Education Code.

HISTORY:

1. Renumbering from Section 80032.1 to Section 80421 and amendment filed 1-11-79; effective thirtieth day thereafter (Register 79, No. 2).

Amend.

Require health education unit to be completed prior to initial issuance of any teaching credential. EC 44261 specifies this as a minimum requirement.

80436. Place of Filing of Application.

Except as otherwise provided, an application for a credential shall be delivered in person or mailed ~~either~~ to one of the following: (1) the Commission office at the address printed upon on the application form, (2) the office of the county superintendent of schools, of the county or local education agency (3) the office of the school district or local education agency in which the applicant is employed or in which he or she is seeking employment, or (4) the institution of higher education where the applicant has completed or is completing an approved program for the credential for which application is being made.

NOTE: Authority cited: Section 44225, E.C.

Amend.

Revise to make clear the steps which constitute the place(s) of filing an application, and the date of issuance of a credential. Present regulations are not clearly stated.

80439. Date of Filing of Application.

~~(a) An application submitted on the form prescribed by Section 80433 shall be deemed filed on the date it is delivered in person pursuant to Section 80436, or if mailed, postage paid, on the postmarked date appearing on the envelope, properly addressed to the Commission or the County Superintendent of Schools.~~

~~(b) The Commission may deem the date of filing to be the postmarked date of communication by the applicant to the Commission or to a County Superintendent of Schools requesting evaluation of transcripts or stating that the writer is thereby applying for a credential. Such date shall apply where the postmark does not predate by more than six months the actual date of filing the prescribed application form and where a school district would lose credit for average daily attendance if the actual date of filing such form were used.~~
 NOTE: Authority cited Section 4905, Education Code.

(a) The date of filing of an application, with one of the agencies described in Section 80436, the signature of the person accepting the application and the name of the agency will be placed in the upper right hand corner of the application form.

(b) The date of filing shall be determined by either (1) or (2), whichever is earliest:

(1) the date the application is delivered in person to one of the agencies described in Section 80436; or

(2) the date the application is mailed to one of the agencies described in Section 80436. If the postmarked date is absent or illegible the date of filing will be the date the application is received by one of the agencies described in Section 80436.

(c) The date of filing shall be the date received by the Commission if the application is submitted to the Commission office more than six months after the date of filing, as originally determined by the office of the County Superintendent of schools, the office of the school district or local education agency, or the institution of higher education.

Amend.

Same rationale as specified for Section 80436.

~~80463.~~ 80440. Date of Issuance of Credentials

Amend.
Same rationale as
specified for Section
80436.

~~(a) When all college and university work requirements for a credential are met by the date an application therefor is filed as determined by Section 80439, the credential shall be dated as of the date the application therefor was filed. Such date shall be deemed to be the date of issuance. A date later than such filing date, but not to exceed one year, may be requested at the time of application.~~

~~(b) When all college and university work requirements for a credential are not met by the date an application for a credential is filed, the credential shall be dated as of the date on which such requirements shall have been completed. Such date shall be deemed to be the date of issuance, unless a later date is requested pursuant to subsection (a) of this section.~~

NOTE: Authority cited: Section 44225, Education Code.

(a) The issuance date will be the same as the date-of-filing, as specified in Section 80439, if all requirements for the credential have been met.

(b) The issuance date will be the date of completion of all requirements for the credential, if the completion date is later than the date of filing.

TITLE 5 REGULATIONS

RATIONALE

80448. Affidavits in Lieu of Official Transcripts.

Amend.
Subsection (c) does not make clear that the applicant must complete the affidavit.
Add EC 44252 as reference.

(a) This section shall apply where an applicant is unable to furnish an accurate and clear transcript of record from an institution because the institution has ceased to exist and the records of that institution have been destroyed, or because the records of the institution are otherwise unavailable.

(b) The Commission may, in lieu of such accurate and clear transcript of record, accept an affidavit from a reputable person stating in effect that he or she was acquainted with the institution and that the applicant attended such institution.

(c) In addition to the requirements of subsection (b), the applicant shall complete and furnish an affidavit which shall include the following information:

(1) A statement that such person attended the institution named in subsection (b).

(2) A list of courses taken and a brief description of such courses.

(3) A statement that to the best of his or her knowledge and belief, such courses as are named in the affidavit have been completed.

(d) To supplement the information required under this section, the Commission may require additional facts to be furnished to the Commission.

NOTE: Authority cited: Section 44225, Education Code.

Reference: Section 44252, Education Code.

80451. Fees.

Each application for a credential shall be accompanied by a ~~money order or check~~ for the fees specified in Section 80487 for the issuance of a credential.

NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44352, Education Code.

Amend. Delete
Delete references to method of payment (Money order or Check), leaving this open to any legal method of payment.
Delete EC 44352 as reference.
Add EC 44253 as reference.

TITLE 5 REGULATIONS

RATIONALE

80457. Acceptance of College or University Work for Purposes of Certification in California.

Amend.
Revise to clearly state the standard and specific purpose(s) of acceptance.

~~(a) Credit earned in colleges or universities is acceptable toward a credential when the type of work for which credit is sought is from an institution approved by the Commission.~~

(a) Course work requirements must be completed in a regionally accredited Institution of Higher Education, except as provided in subsection (c).

~~(b) College or University credit earned by means of correspondence or extension courses may be acceptable toward a credential when it can be demonstrated to the Commission that such courses are of a quality comparable to that of the regular on-campus courses offered by the accredited institution.~~

(b) Course work requirements completed in programs in California offered by out-of-state Institutions of Higher Education will meet credential requirements only if a satisfactory evaluation of the program by the regional accrediting agency of the out-of-state Institution, and by the Western Association of Schools and Colleges, has been submitted to the Commission, and the Commission has approved the program prior to the completion of any course work requirements.

Amend.
Necessary to implement AB 836, chaptered September 23, 1981. (Education Code Section 44227).

~~(c) Within its discretion the Commission may accept other credit which is approved or accredited by a recognized professional accrediting association.~~

(d) (c) Appropriate undergraduate credit earned in an institution not accredited by a recognized accrediting association, or in an institution outside the United States, may be accepted as meeting degree requirements for a California credential when the applicant has been accepted and is matriculated in a graduate program in a college or university which is accredited by a regional accrediting association for the advanced degree which it grants. The Commission may require the accredited institution to authenticate all undergraduate credit completed in an unaccredited institution, or institution outside the United States, that is accepted by the accredited institution for the purpose of validating the baccalaureate degree and granting of graduate standing.

TITLE 5 REGULATIONS

RATIONALE

80457 (continued)

(d) Appropriate course work earned in an institution not accredited by a recognized regional accrediting association, or in an institution outside the United States, may be accepted as meeting requirements for a California credential when (1) the applicant has been accepted and is matriculated in an accredited institution with a Commission approved program for said credential, and (2) the accredited institution of Higher Education recommends acceptance of the course work. The Commission may require the accredited institution to authenticate all course work completed in an unaccredited institution, or institution outside the United States, that is accepted by the accredited institution for purposes of meeting credential requirements.

(e) Credit earned in an institution of higher learning outside of the United States is acceptable toward a credential when the Commission has determined that such institution's programs are comparable to regionally accredited institutions and their programs in the United States.

NOTE: Authority cited: Section 44225, Education Code.
Reference: Section 44227, Education Code.

TITLE 5 REGULATIONS

RATIONALE

80472. Completion of Approved Program or Its Equivalent.

Amend.
Delete subsection (b),
No statutory authority
for Commission approval
of programs outside of
California, except
as provided under
reciprocity.

In addition to any other requirements specified for obtaining any credential, an applicant for a credential shall fulfill one of the following requirements:

Revise subsection (c)
to limit to Multiple
and Single Subject
teaching credentials
and to require com-
pletion of all re-
quirements beyond the
initial credential.

(a) A California college or university offering a Commission-approved program of professional preparation as a requirement for the credential shall certify that the applicant has completed its approved program and shall recommend the applicant for the appropriate credential; or

Delete EC 44320 and
EC 44321 as references.
Add EC 12500, EC 44226,
EC 44227, and EC 44252
as references.

~~(b) A college or university in a state other than California shall certify that the applicant has completed a program of preparation approved by the state educational certification agency in the state in which it is located. -- Such approved program of preparation shall be acceptable only if completed in a regionally accredited institution. The applicant shall receive an initial regular credential and must complete other California requirements not included in the out-of-state approved program to obtain a clear credential; or~~

~~(c)~~ (b) An applicant whose professional preparation for a multiple or single subject teaching credential was completed is in a state other than California, and with which California has a reciprocity agreement signed pursuant to Section 12509 of the Education Code, shall receive an initial regular credential, and shall be required only to complete the fifth-year of study as described in Section 80424 and the requirement in health education specified in all requirements beyond the initial credential. Section 80421.

NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44320 and 44321, Education Code.

TITLE 5 REGULATIONS

~~80475. - Application Form.~~

~~(a) Where an applicant is recommended to the Commission by a college or university offering a Commission approved program of teacher preparation, such college or university shall provide the applicant with an application form. The applicant shall complete the pertinent sections.~~

~~(b) Upon completing the application form, the applicant shall return it to the college or university recommending said applicant. The college or university shall forward the application to the Commission.~~

~~NOTE - Authority cited - Section 44225, Education Code.~~

RATIONALE

The substance of section 80475 has been included in proposed sections 80436, 80439 and 80440 and therefore this section should be repealed.

~~80478. - Date of Filing of Application; Date of Issuance.~~

~~(a) An application submitted pursuant to Section 80439 shall be deemed filed on the date it is delivered by the college or university to the Commission.~~

~~(b) Where the application is mailed, postage paid, by the institution to the Commission, the date of filing shall be the postmarked date appearing on the envelope, properly addressed to the Commission.~~

~~(c) The credential shall be dated pursuant to Section 80463 of this chapter.~~

~~NOTE - Authority cited - Section 44225, Education Code.~~

The substance of section 80478 has been included in proposed sections 80436, 80439, and 80440 and therefore this section should be repealed.

TITLE 5 REGULATIONS

80484. Fees.

Each application for a credential pursuant to this article shall be accompanied by a ~~money-order-or-check-for-the~~ fees specified in Section 80487 for the issuance of a credential.

NOTE: Authority cited: Section 44225, Education Code. Reference Section ~~44352~~, 44252, Education Code.

80490. Renewal of Credentials.

(a) Valid renewable credentials may, prior to their date or expiration, be renewed.

(b) A credential may be renewed at any time before it is to expire, except as otherwise provided by the Education Code or by these regulations, and provided that all renewal requirements are completed and evidence of such completion is submitted to the Commission before midnight of the expiration date of the credential to be renewed.

(c) Valid renewable credentials may be renewed by submitting the following materials to the Commission:

- (1) An application form provided by the Commission.
- (2) A ~~money-order-or-check-for-the~~ fees specified in Section 80487 for the issuance of each credential.
- (3) Verification of completion of requirements, if any, listed in the credential, and verification of additional renewal requirements established by the Commission.

NOTE: Authority cited: Sections 44225 and 44348, Education Code. Reference: Section 44252, Education Code.

RATIONALE

Amend.
Same rationale as specified for Section 80451.

Delete EC 44352 as reference. Add EC 44252 as reference.

Amend.
Delete reference to method of payment (money order or check), leaving this open to any legal method of payment.

Delete
EC 44348 as authority cited. Add EC 44252 as reference.

TITLE 5 REGULATIONS

RATIONALE

80493. Terms of Issuance and Renewal of Credentials

~~Unless otherwise provided by law and regulations, all credentials shall be issued for a period of five years~~ credentials shall be issued and renewed for the terms indicated in (a), (b) or (c), with the exception that initially issued credentials will expire on the first day of the month following the full issuance term of the credential allowed by law and regulations.

(a) ~~All preliminary teaching and service credentials shall be issued for a period of not more than five years.~~ Clear credentials shall be issued and renewed for a period of five years.

(b) ~~A teaching or services credential, one of which the requirements is another teaching or services credential, shall not be issued or renewed beyond the expiration date of the other previously obtained credential.~~ Preliminary credentials shall be issued and renewed for a period of not more than five years.

(c) ~~A teaching or services credential shall be dated to expire on the first day of the month following the month in which it is issued for its full authorized term except when it is based on another credential with a different expiration date.~~ Credentials, for which one of the prerequisites is the possession of another credential, shall have the same expiration date as the prerequisite credential.

NOTE: Authority cited: Section 44225, Education Code. Reference: ~~Section 44260~~ Sections 44251, 44252 and 44348, Education Code.

Amend.
Revise to clarify.
Current language does not clearly state terms of issuance and renewal.

Delete.
EC 44260 as reference. Add EC 44251, 44252 and 44348 as references.

TITLE 5 REGULATIONS

RATIONALE

80505. Definitions.

Retain and amend.
Needed to clarify the terms
used in Article 6.

Add EC 44225 as authority
cited. Add EC 44252 as
reference.

For the purposes of As used in this article:
(a) "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.

(b) "Committee" means the Licensing Committee of the Commission.

(c) "Denial" includes the denial of any portion of an application for a credential, even though the requested credential is issued or renewed, means the refusal of the Commission to issue or renew a credential on the grounds that the applicant's education, training or experience does not satisfy the minimum requirements for the credential.

(d) Appeal of denial means a timely written request by the applicant for a reevaluation of his/her application on the basis of mistake of fact or interpretation of law or rules relative to the application.

Reference: Section 44252, Education Code.

NOTE: Authority cited: Section 44225, Education Code.

Amend.

All appeal of denial sections need to be revised for clarity, including delineation of the sequence of events, time deadlines, notification procedures, etc.

~~89514,~~ 80506. Notice of Denial.

(a) If an application for a credential is denied pursuant to any provision of this chapter, the Executive Secretary to the Commission shall give written notice to the applicant of the grounds on which the denial was made.

(b) Such notice of denial of the application shall be mailed or delivered in person to the applicant not later than ten days following the decision of the Commission staff to deny said application.

(c) Written notice, pursuant to this section, shall include:

(1) A statement of action to be taken on the application;

(2) ~~An explanation~~ A statement of the facts upon which the application ~~will be~~ has been denied;

(3) ~~An explanation~~ A statement of the informal hearing procedure and the rights of the applicant thereunder.

NOTE: Authority cited: Section 44225, Education Code.

TITLE 5 REGULATIONS

RATIONALE

80517- 80507. Date of Denial of Application. _____

Failure of the Commission staff to issue a credential within 60 days after all necessary application materials have been filed with the Commission may, at the election of the applicant, be treated as a denial of the application.

NOTE: Authority cited: Section 44225, Education Code.

Amend

Same rationale as specified for proposed Section 80506.

80520- 80509. Initiation of Appeal Procedure Filing to Appeal

(a) The applicant shall initiate an appeal by filing a written notice stating that the applicant appeals a particular decision of the Commission staff on the application, on the grounds of fraud, discrimination, clerical error, or additional information not included in the original application.

Amend

Same rationale as specified for proposed Section 80506.

(b) ~~Within 10 days of the filing of an appeal, the Executive Secretary shall notify the applicant of the date, time, and place of the informal hearing before the Committee. Upon a showing of good cause, such informal hearing may be postponed to a later date; the applicant shall be notified of such change.~~

(c) ~~Upon the filing of an appeal, the Executive Secretary shall cause a statement of issues to be prepared and filed with the Committee setting forth the causes upon which the disputed action is based.~~

NOTE: Authority cited: Section 44225, Education Code.

(b) The petition shall be in writing and shall state the facts, information or circumstances upon which the appeal is based. The petition shall be signed and dated by the applicants, and shall include the following statement: "I certify under penalty of perjury that the facts stated herein are true and correct."

(c) Additional information may include, but is not limited to the following:

(1) letters from the Institution of Higher Education where the course work was completed;

(2) letters from employers verifying experience;

(3) letters from California Institution of Higher Education, with programs approved by the Commission for the credential in question, stating the reasons why the Institution of Higher Education recommends or refuses to recommend for the credential.

80523- 80510. Time of Filing Appeal. _____

(a) An appeal to a denial of an application pursuant to this chapter shall be filed with the Executive Secretary within 30 days after the applicant has been served with notice of such denial.

(b) Upon a showing of good cause, the Executive Secretary may allow such an appeal to be filed within 30 days after the end of the period in which the appeal should have been filed.

NOTE: Authority cited: Section 44225, Education Code.

Amend

Same rationale as specified for proposed Section 80506

80512. Initiation of Appeal Procedure

(a) Within 30 days of the filing of an appeal, the Executive Secretary shall take one of the following actions:

- (1) Grant the appeal on the basis of the verified facts presented by the applicant, or
- (2) Deny the appeal and cause a statement of issues to be prepared and filed with the Committee setting forth the causes upon which the disputed action is based.

(b) In the case of the administrative denial of an appeal, the Executive Secretary shall take the following action:

- (1) Submit the statement of issues to the Committee at the earliest possible date;
- (2) Notify the applicant of the date, time and place of the informal hearing before the Committee;
- (3) Notify the applicant of the facts upon which the appeal was administratively denied, including copies of the Commission's Grant and Deny Code.

NOTE: Authority cited: Section 44225, Education Code.

Amend
Same rationale as specified
for proposed Section 80506.

80517- 90514. Duties of the Committee

Upon appeal of denial of an application for a credential, the matter shall be referred to the Committee to conduct an informal hearing unless the Commission specifically has reserved the same for its own action. Upon such informal hearing by the Committee, the Committee shall recommend that such application be granted or denied.

NOTE: Authority cited: Section 44225, Education Code.

Amend
Same rationale as specified
for proposed Section 80506.

80526- 80515. Rights of Applicant.

An applicant whose application for a credential has been denied who has been denied a credential pursuant to this chapter shall have the following rights with regard to an appeal:

(a) Said applicant may To present such written evidence as he or she feels is necessary or appropriate to the issues involved at any time up to and including the day of hearing.

(b) Said applicant may To present written or oral arguments to the Committee.

(c) Said applicant To cross-examine any witness testifying against him or her.

(d) Said applicant may To be represented by the person of his or her choice.

(e) Said applicant may To choose not to appear before the Committee and such failure to appear shall not admit or deny the facts described in the written notice.

NOTE: Authority cited: Section 44225, Education Code.

Amend
Same rationale as specified
for proposed Section 80506.

TITLE 5 REGULATIONS

RATIONALE

80529- 80516. Closed Hearing

The informal hearing shall be open only to persons directly involved in the matters to be heard. The chairman of the Committee may exclude a witness from the hearing when the witness is not giving testimony.

NOTE: Authority cited: Section 44225, Education Code.

Amend

Same rationale as specified for proposed Section 80506.

80532- 80518 Conduct of Hearing.

- (a) The chairman of the Committee shall conduct the informal hearing.
- (b) The chairman may do whatever is necessary to carry out the intent and provisions of this article to insure that the informal hearing is conducted in a fair, dignified, and orderly manner which is not specifically prohibited by any applicable provision of law.

NOTE: Authority cited: Section 44225, Education Code.

Amend

Same rationale as specified for proposed Section 80506

80519. Notice of Committee Decision:

The Executive Secretary, shall within 10 days following the informal hearing, notify the applicant of the following:

- (a) The decision of the Committee;
- (b) The facts upon which the appeal was denied;
- (c) An explanation of the procedures for an administrative hearing by the Commission and the rights of the applicant.

NOTE: Authority cited: Section 44225, Education Code.

Added:

To provide appropriate information to the applicant following Committee action.

80535- 80521. Rehearing by the Commission: Appeal for Administrative Hearing.

(a) Within 30 days following a decision by the Committee, the applicant may apply for a rehearing an Administrative Hearing by the Commission by filing with the Executive Secretary a written petition therefor;

(b) Within 60 days after receipt of such petition, the Commission shall either grant or deny the petition in whole or in part. The Executive Secretary shall notify the applicant immediately of such decision.

(c) If a rehearing is granted an administrative hearing is requested, the proceeding shall be conducted 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.

Amend:

To ensure conformity of the appeal procedure with the administrative procedure act.

80538- 80522. Finality of Decision

Unless a proper application for a rehearing by the Commission an appeal for an administrative hearing is filed, each decision of the Committee shall become final 30 days after a copy of such decision is mailed to the parties to the proceeding in which the decision was rendered.

NOTE: Authority cited: Section 44225, Education Code.

Amend:

To ensure conformity of the appeal procedure with the administrative procedure act.

COMMISSION FOR TEACHER PREPARATION AND LICENSING

1020 O STREET
SACRAMENTO, CALIFORNIA 95814



OFFICE OF THE EXECUTIVE SECRETARY

Section(s) 44200 - 44354

RESPONSE TO ATTACHED TITLE 5 REGULATIONS

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 coming up for Public Hearing, please return this response to the Commission Office at the above address by April 28, 1982 in order that the material can be presented at the May 5, 1982 Commission meeting.

- 1. Yes, I agree with the proposed Title 5 Regulations. Please count me in favor of these regulations.

- 2. No, I do not agree with the proposed Title 5 Regulations for the following reasons: (If additional space is needed, use the reverse side of this sheet.)

- 3. Personal opinion of the undersigned only.

- Organizational 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.

_____ Date _____
(Print or type name)

Title: _____

Representing: _____
(Circle One: School District, College, University, Professional Organization, Private Citizen, Other)