

## COMMISSION FOR TEACHER PREPARATION AND LICENSING

220 O STREET  
SACRAMENTO 95814

November 30, 1982

82-8308

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

FROM: John F. Brown, Executive Secretary

SUBJECT: Proposed Title 5 Regulations to Extend the Temporary County  
Certificate (T.C.C.)

In accordance with Commission policy and administrative regulations, the above cited Title 5 Regulations are being distributed prior to a public hearing. The public hearing to adopt regulations to extend the temporary county certificate, pursuant to Chapter 471 of 1982, has been scheduled as follows:

Thursday, February 3, 1983  
2:00 p.m.  
Mansion Inn  
16th & "H" Streets  
Sacramento, California

### Background

Existing law authorizes each California county board of education to issue a temporary county certificate (T.C.C.), valid for 120 school days, for the purpose of authorizing salary payments to certified employees whose credential applications are being processed. The applicant for a T.C.C. is required to make a statement under oath that he or she has duly filed an application and knows of no reason why the credential should not be issued. Under current law, these temporary county certificates are valid for a maximum of 120 school days and only until the credential or permit originally requested is either issued or denied by the Commission for Teacher Preparation and Licensing.

Assembly Bill 2390 (Chapter 471 of 1982) will, on January 1, 1983, authorize the temporary county certificate to be extended once for a period of not more than 60 school days due to delays in processing a credential application, except when the Commission certifies in writing that the applicant does not possess adequate academic qualifications or apparently has a criminal record which would disqualify the application. Chapter 471 specifies that failure of the Commission to so certify shall be construed to mean that the applicant possesses adequate qualifications and does not have a criminal record which would disqualify the application.

### Proposed Regulations

Proposed regulation Section 80441 is necessary for the purposes and reasons cited below.

- Subsection (a) requires the agency submitting applications to identify those applications that are for individuals serving on a temporary county certificate (T.C.C.). This information is essential in order for the Commission to provide notification of the status of an application to the employers of T.C.C. holders prior to the 120 day expiration date of the T.C.C.
- Subsection (b) describes the means by which the Commission is obligated to provide information to the appropriate county superintendent of schools as to the status of applications for individuals serving on a temporary county certificate.
- Subsection (c) requires the county superintendent of schools office to provide the Commission with a listing of all applicants serving on a T.C.C. While it is anticipated that almost all information provided by the Commission to county superintendents will be based on procedures cited in subsections (a) & (b), there will be some applicants who will fall within the provisions of subsection (c). This population would include many of those applications the Commission would not identify as belonging to T.C.C. holders because the application was filed through an Institution of Higher Education, Local Education Agency or submitted directly to the Commission office. The Commission cannot guarantee the county will get a report on the status of these applications without the information provided by the listing in subsection (c).

The information required by subsection (c) is essential in order for the Commission to provide notification of the status of an application to the employers of T.C.C. holders prior to the 120 day expiration date of the T.C.C.

- Subsection (d) clarifies the conditions in which the T.C.C. may be extended once for not more than 60 school days. Subsection (d) (2) makes clear the responsibility of the Commission to respond quickly to the listing of applicants serving on a T.C.C. specified in subsection (c). The absence of a response from the Commission to the listing of applicants authorizes the extension of the T.C.C. for sixty (60) days or until the response is received by the county superintendent of schools.

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.

PROPOSED TITLE 5 REGULATIONS

80441 Notification to the Employers of Temporary County Certificate (T.C.C.) Holders

- (a) It is the intent of Education Code Section 44332 that the Commission provide notification of the status of an application for a credential, certificate, or permit to the employers of temporary county certificate holders prior to the 120 day expiration date of the T.C.C. In order for the Commission to provide such notification the school district or county superintendent of schools office shall specify T.C.C. and the expiration date of the T.C.C. in the space provided on the application form when the application is filed with them.
- (b) The Commission will provide the following information on the status of an application for a credential, certificate, or permit to the appropriate county superintendent of schools office:
- (1) notification that a credential, certificate or permit document has been issued;
  - (2) notification that all requirements, for each credential, certificate, or permit have been met and the appropriate document will be issued;
  - (3) notification that all requirements for the credential, certificate, or permit have been met except that the fingerprint cards, required by Education Code Sections 44340 and 44341, have not been processed and returned by the California Department of Justice and/or the Federal Bureau of Investigation;
  - (4) notification that an application has been returned for additional information;
  - (5) notification that an application has been denied.
- (c) The county superintendent of schools shall provide the Commission with a listing of all applicants serving on a T.C.C. for whom notification, pursuant to subsection (b), has not been received as of ten (10) school days prior to the expiration date of the T.C.C. This listing shall be forwarded to the Commission immediately and shall include all of the following information for each applicant:
- (1) the full name;
  - (2) the social security number;

- (3) the birthdate;
  - (4) the type of credential, certificate, or permit for which application was made, when available;
  - (5) the date of filing of the application, when available;
  - (6) the date the application was submitted to the Commission, when available;
  - (7) the effective date of the temporary county certificate;
  - (8) the expiration date of the temporary county certificate.
- (d) The temporary county certificate may be extended once for a period of not more than sixty (60) school days for applicants for a credential, certificate, or permit when one of the following conditions exist:
- (1) The county superintendent of schools has been notified that all requirements for the credential, certificate or permit have been met pursuant to subsections (b)(2) or (c);
  - (2) The county superintendent of schools has provided the listing pursuant to subsection (c) and has not received a response from the Commission as of the expiration date of the T.C.C.

NOTE: Authority cited: Section 44225(b), Education Code.  
Reference: Section 44332, Education Code.

COMMISSION FOR TEACHER PREPARATION AND LICENSING

1020 O STREET  
SACRAMENTO, CALIFORNIA 95814



OFFICE OF THE EXECUTIVE SECRETARY

Section(s) 80441

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 January 21, 1982 in order that the material can be presented at the February 3, 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.

\_\_\_\_\_  
(Print or type name) Date \_\_\_\_\_

Title: \_\_\_\_\_

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