

COMMISSION ON TEACHER CREDENTIALING

1812 Ninth Street
Sacramento, California 95814-7000



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91-9108

TO: All County Superintendents and County Personnel Administrators

FROM: Philip A. Fitch, Ed.D., Executive Secretary

SUBJECT: Designated Subjects Vocational Education Teaching Credential

We have had many questions from school districts and county offices of education about the authorizations of the "Designated Subjects Vocational Education Teaching Credential." Accordingly, we asked our General Counsel for a legal opinion clarifying the range of authorization of this credential. His opinion is reprinted in its entirety below.

Question Presented: What is the range of authorization of the "Designated Subjects Vocational Education Teaching Credential?" Specifically, does this credential authorize its holder to teach the subject or trade named on the credential in "non-vocational" classes in grades twelve and below?

Cal. Ed. Code § 44256 describes the authorizations for "designated subjects" credentials in the following manner:

"(d) 'Designated subjects' means the practice of assignment of teachers and students to designated technical, trade, or vocational *courses* which courses may be part of a program of trade, technical or vocational education." [Emphasis added]

Section 44256 (d) was cited as authority for 5 *Cal. Code Regs.* § 80035 (c) which addresses the "authorization" of the designated subjects preliminary and clear vocation education teaching credentials as follows:

"(c) Authorization. The preliminary or clear vocational teaching credential authorizes the holder to teach in the subject or trade named on the credential in grades 12 and below, *and* in classes organized primarily for adults, in technical, trade or vocational courses, including, but not limited to, agricultural occupations, business and office occupations, health occupations, home-economics related occupations, marketing and distributive occupations, technical occupations, or trade occupations which shall be part of a vocational education program." [Emphasis added]

It should be noted that *Cal. Ed. Code* § 44256 provides that teaching credential authorizations shall be of four basic kinds, only one of which is the "designated subjects" authorization. The designated subjects authorization is therein differentiated from "single subject instruction," "multiple subject instruction," and "specialist instruction" authorizations.

Accordingly, when the statute and the regulation are read in conjunction, it appears that the holder of a Designated Subjects Vocational Education Teaching Credential with a specific authorization is permitted to teach in the subject or trade named in the credential in either vocational programs or in non-vocational programs so long as the course or courses taught in the non-vocational programs are *designated* technical, trade or vocational.

It might reasonably be argued that so long as the subject authorized on the credential is in a technical, trade or vocational area, it has been "designated" as such by the terms of the licensing document. However, the statute does not define "designated subjects" as items listed or authorized on a credential; instead, the term "designated subjects" is said to refer to the "assignment of teachers" to "designated trade, technical or vocational courses. We assume that the establishment, structuring, implementation, description and designation of particular courses are matters left to school districts and that the designation referred to in the statute is made in that arena.

By way of illustration, the holder of a Designated Subjects Vocational Education Teaching Credential issued in the subject of carpentry would be authorized to teach as follows:

1. a "math for carpenters" course in either a vocational education program or non-vocational education program in grades 12 and below, *if* that course were designated as a trade, technical or vocational course by the employing school district; and
2. a "math for carpenters" course in either a vocational education program or non-vocational education program as a class organized primarily for adults, *if* that course were designated as a trade, technical or vocational course by the employing school district; and
3. a "math for carpenters" course in a vocational education program consisting in technical, trade or vocational courses, including, but not limited to, agricultural occupations, business and office occupations, health occupations, home-economics related occupations, marketing and distributive occupations, technical occupations, or trade occupations, *if* that course were designated as a trade, technical or vocational course by the employing school district.