

COMMISSION ON TEACHER CREDENTIALING

1812 Ninth Street

Sacramento, California 95814-7000

(916) 445-0184

FAX (916) 327-3166



OFFICE OF THE EXECUTIVE DIRECTOR

DATE: August 25, 1993 93-9319

TO: Persons Interested in Regulations Governing the Emergency
30-Day Substitute Teaching Permit

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

SUBJECT: Amendment of Sections 80023 and 80025 of Title 5,
California Code of Regulations, Pertaining to the Emergency
30-Day Substitute Teaching Permit

The amendments and additions to Title 5 Regulations, Sections 80023 and 80025, pertaining to the Emergency 30-Day Substitute Teaching Permit, have been approved by the Office of Administrative Law. A copy of the text is attached. They apply to Emergency 30-Day Substitute Teaching Permits with an issuance date of October 1, 1993 and after. A credential application file-dated at a school district or office of the county superintendent before October 1, 1993, and submitted to the Commission within 6 months of that filing date, will be issued under the prior regulations.

As of October 1, 1993, anyone holding a valid Emergency 30-Day Substitute Teaching Credential issued under the prior regulations may be employed on the basis of that credential in any district or county, regardless of the restriction listed on the document. The employing agency must have a current Statement of Need form on file, and the credential must be registered by the holder with every county in which the individual is employed.

These new regulations initiate the following changes:

Credential to Permit:

1. Education Code Section 44300 changed the name of the Emergency 30-Day Substitute Teaching *Credential* to the Emergency 30-Day Substitute Teaching *Permit*. These regulations implement this change.
2. The Emergency 30-Day Substitute Teaching Permit is not a credential so it cannot be used as a basis for issuing either the Emergency Multiple or Single Subject Teaching Credential or the Bilingual Certificate of Competence. Valid Emergency 30-Day

Substitute Teaching Credentials issued prior to October 1, 1993, may still be used for this purpose.

Statement Of Need:

1. As of October 1, 1993, each school district employing holders of Emergency 30-Day Substitute Teaching Permits will complete a single Statement of Need form (CL 505a) for each school year. A copy of this form is attached for your use. This form must be prepared annually and retained at the school district's office. It indicates that either no credentialed person is available or that those available are not deemed qualified for substitute teaching, and details the circumstances that necessitate the use of emergency permit holders rather than fully credentialed teachers. The Statement of Need form does not list a specific employee or his or her teaching position. It does not need to be co-signed by the county superintendent of schools, but only signed by the superintendent of the employing school district. A copy of the form no longer needs to be submitted to the county or the Commission with each Emergency 30-Day Substitute Teaching Permit application. However, offices of the county superintendent of schools whose responsibilities include such areas as district payroll or district substitute placement, may request a copy of the district's Statement of Need form to accurately fulfill these duties.
2. County superintendent of schools' offices employing holders of the Emergency 30-Day Substitute Teaching Permit are also required to annually file, at their office, a completed Statement of Need form. The county superintendent of schools will sign the form.
3. The Commission is not requiring that the school boards approve the statement of need. Each individual school district may establish its own policy regarding this.

Statewide:

1. The Emergency 30-Day Substitute Teaching Permit will **not** be restricted to service in a specific county. Service is limited to employing school districts which have a Statement of Need form on file, as long as the individual's credential is registered with the corresponding county. The individual may also be employed in county-operated schools if the county superintendent of schools' office has completed a Statement of Need form. By removing the county restriction from the document, individuals who substitute in several counties will apply for only one permit each year.
2. Beginning October 1, 1993, individuals may apply directly to the Commission if they meet all requirements for this permit: a bachelor's or higher degree from a regionally accredited institution plus passage

of the CBEST. First-time applicants for this permit will need to submit the following:

- Credential Application form 41-4,
- Character and Identification Clearance form 41-CIC,
- Two fingerprint cards,
- Appropriate fees,
- Verification of a bachelor's or higher degree, and
- Verification of passing the CBEST.

Employers may wish to advise prospective substitutes to submit application packets through their offices in order to process the Temporary County Certificate.

3. The Commission will continue to issue Emergency 30-Day Substitute Teaching Permits based on California State Board of Education waivers. Employers wishing to seek waivers will continue to follow the State Board of Education's procedures. The waiver of the CBEST requirement will be noted on the document, but the document will not be restricted to any district or county. Permits issued on the basis of a bachelor's degree waiver will be restricted to the requesting district since, unlike CBEST waivers, these waivers are approved for specific individuals. A copy of the appropriate waiver must accompany the credential application material submitted to the Commission.

The following will not change with the implementation of these new regulations.

1. There are no changes in the issuance date, expiration date, and filing date regulations. Permits issued between July 1st and January 31st will expire on the following June 30th of that school year. Those issued between February 1st and June 30th, will expire on the following January 31st. The regulations still state that unless an individual is employed in a year-round school or summer session, the permit cannot be dated prior to August 15th. For only the Emergency 30-Day Substitute Teaching Permits, Commission staff will assume any application with a filing date prior to August 15th is for employment in a year-round school or summer session, and will date it accordingly. This will also apply to direct applications with a fee date prior to August 15th.
2. The authorization for the Emergency 30-Day Substitute Teaching Permit remains unchanged. The holder of this permit may serve as a substitute in any classroom; preschool, kindergarten and grades 1-12, inclusive; or in classes organized primarily for adults. However, the holder shall not serve as a substitute for more than 30 days for any one teacher during the school year.

**Title 5, California Code of Regulations,
Sections 80023 and 80025
The Emergency 30-Day Substitute Teaching Permit**

§80023. Emergency Credentials and Permits. *(Only Sub-sections (c) and (d) were amended. The other sub-sections remained unchanged.)*

- (c) The service authorized by all emergency credentials and permits, except the emergency permit for 30-day substitute teaching service, shall be rendered only in the school district that prepared and submitted the Statement of Need form. The service authorized by the Emergency Permit for 30-day substitute teaching service may be rendered in any classroom within a district that has a completed Statement of Need on file at the district office for the school year. The Statement of Need shall contain the information described in Section 80026, Subsections (a), excepting the approval of the county superintendent of schools for any district-prepared Statement of Need, (c), and (e). Further, a county may complete and file a Statement of Need for county-operated schools.
- (d) Application for Emergency Credentials and Permits shall not be submitted prior to August 15th of the ensuing school year unless the authorization is for a summer school or year-round school assignment.

§80025. Emergency Permit for 30-Day Substitute Teaching Service

- (a) Requirements for the issuance and reissuance of the Emergency Permit for 30-day Substitute Teaching Service.
- (1) Completion of a baccalaureate or higher degree from a regionally accredited college or university verified by official transcripts;
 - (2) Passage of the California Basic Educational Skills Test (CBEST) verified by official verification transcript;
 - (3) Submission to the Commission on Teacher Credentialing of a completed credential application form; the fee or fees as specified in Section 80487; and, unless clearance is already on file with the Commission, personal identification on duplicate fingerprint cards and the Application for Character and Identification Clearance.
- (b) Authorization. The Emergency Permit for 30-day substitute teaching service authorizes the holder to serve as a substitute in any classroom; preschool, kindergarten and grades 1-12, inclusive; or in classes organized primarily for adults within each county in which the permit is registered. However, the holder shall not serve as a substitute for more than 30 days for any one teacher during the school year.

**ANNUAL STATEMENT OF NEED
 EMERGENCY 30-DAY SUBSTITUTE TEACHING PERMIT**
 (To be filed each school year.)

The District Superintendent of Schools or the County Superintendent of Schools, as appropriate, has reviewed the information contained in this statement of need and certifies the following:

1. Either a credentialed person is not available or one or more credentialed persons are available, but are not deemed qualified by the district or county, as applicable, to serve as a day-to-day substitute teacher.
2. The situation or circumstances that necessitates the use of an emergency permit holder are described as follows: (Use and attach additional sheets, if necessary.)

I hereby certify that all of the information contained in this statement of need is true and correct.

*Signature of District Superintendent District Date

*Signature of County Superintendent of Schools County Date

- *NOTE:
- This form must be signed by the District Superintendent of Schools and filed at the school district office if the holder of an emergency 30-day substitute teaching permit will be employed as a substitute in a public school operated by a school district.
 - This form must be signed by the County Superintendent of Schools and filed at the county superintendent of schools' office if the holder of an emergency 30-day substitute teaching permit will be employed as a substitute in a county-operated school.