

COMMISSION ON TEACHER CREDENTIALING

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OFFICE OF THE EXECUTIVE DIRECTOR

NO. 94-9410

DATE: May 12, 1994

TO: School District and County Office Superintendents, Personnel Directors, SELPA Directors, Credential Analysts, Non-Public School Directors and Others Interested in Credential Waivers and Emergency Permits

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

RE: Final Version of Regulations Governing Credential Waivers and Emergency Permits; Additional Information for Employers

In March an Advisory was mailed to you explaining changes in the laws governing credential waivers and emergency permits (coded correspondence 94-9406, which included "Emergency Permits and Credential Waivers: A Program Advisory with Requirements and Guidelines"). We explained that the Legislature has authorized the Commission on Teacher Credentialing to approve requests to waive laws or regulations governing educator preparation and licensing. The Legislature has terminated the State Board of Education's authority to use their general waiver authority to grant credential waivers after June 30, 1994. Last month the Office of Administrative Law approved the Commission's proposed regulations to govern credential waivers and emergency permits, with only minor changes. A copy of the final regulations, which are effective on May 20, 1994 is enclosed for your information. Also enclosed are:

1. A schedule of Commission meetings, with dates for submission of waiver requests for consideration by the Commission at the next scheduled meeting.
2. A letter signed by both the President of the State Board of Education and the Chair of the Commission on Teacher Credentialing outlining the respective waiver authorities of the two entities. The Commission shall have exclusive authority to review and resolve requests to waive state laws and regulations pertaining to the credentials and qualifications of individual educators to perform services needed in local education agencies. The Board and the State Superintendent will have exclusive authority to review and resolve requests to waive state laws and regulations pertaining to all other local education decisions.

3. Updated waiver and emergency permits forms, guidelines and instructions to employers.
4. New guidance to employers in "Creating A Plan to Develop Fully Qualified Educators for Individuals Serving on Emergency Permits or Credential Waivers".

Employers may begin to submit requests to the Commission for credential waivers at any time; Declarations of Need and applications for emergency permits will have a file date of July 1, 1994. If you would like additional information, please call the Commission's Information Services Office at (916) 445-7256, or Linda Bond, Consultant in Professional Services, at (916) 327-0586.

permit, allowing the employing agency to devote more resources to supporting, assisting and developing fully qualified educators, and fewer resources to paperwork or other tasks associated with applying for emergency permits.

- (d) Recommend to the Commission the certification of personnel who, by virtue of education, training or experience, have been judged by certificated educators from the employing agency as competent to serve in an assignment, but are not yet certified to do so.

What New Training Options Can be Made Available to Holders of Emergency Permits or Waivers Under a Plan to Develop Fully Qualified Educators?

Educators serving on emergency permits or credential waivers will be able to choose from options such as the following, to the extent that one or more of these options is included in the district Plan to Develop Fully Qualified Educators, to complete preparation for their assignment:

- collaborative preparation programs between a college or university and one or more school districts;
- expanded use of District Intern programs established by law;
- expanded use of College or University Internship programs established by law;
- expanded opportunities for use of local assessments in teacher assignment, to include, for example, portfolios, observation and performance assessments through a local or regional assessment process;
- county-sponsored intensive professional development programs;
- Special Education Local Plan Area (SELPA)-sponsored intensive professional development programs;

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- Special Education Local Plan Area (SELPA)-sponsored intensive professional development programs;

Type and Nature of Support

California law requires that any person holding an emergency teaching or specialist permit teach only with the assistance and guidance of a certificated employee of the district who has completed at least three years of full-time teaching experience, or the equivalent.

What Should a Plan to Develop Fully Qualified Educators Address?

In essence, any employing agency that wants to offer an alternative to university course work for the first time renewal of an emergency permit, or the subsequent approval of a waiver, should create a Plan to Develop Fully Qualified Educators that addresses issues of *What, Who and How*. The Plan should discuss *what* will be offered in the instructional program, *by whom*, and *how* completion of the program will be measured.

Proposed Plans to Develop Fully Qualified Educators should address the following issues:

1. Quality of Curriculum

Provide a brief description of the curriculum to be offered under the Plan.

Please include a list of the topics to be addressed in the curriculum, including the approximate length of each instructional segment and a brief "course description" of each instructional segment in the program.

Resource: Appendix D of "Emergency Permits and Credential Waivers: A Program Advisory with Requirements and Guidelines", Commission on Teacher Credentialing, April 1994, includes a section (on page 50) outlining the "Purpose and Content of Orientation" for beginning teachers, including topics typically addressed in orientation activities for beginning teachers.

2. Quality of Instruction

Describe who will be offering the instruction for teachers serving on waivers or emergency permits, their background and their expertise. Also indicate where the instruction will be offered.

3. Quality of Support

Describe the method that will be used to assist and support each emergency permit holder participating in the program.

Indicate how the support providers will be selected, and briefly describe any training to be given to them.

Include a description of the frequency of consultation between the support providers and the permit/waiver holder.

Resource: Appendix D of "Emergency Permits and Credential Waivers: A Program Advisory with Requirements and Guidelines", Commission on Teacher Credentialing, April 1994, includes a section (on page 52) regarding "Support and Assistance" of beginning teachers.

4. Quality of Assessment

Explain the criteria that will be used to determine successful completion of the instructional program. Will measures other than "seat-time" be used to determine successful completion of the instructional program? If so, describe the type of assessment instruments that will be used.

Indicate who will be responsible for certifying that the participants have completed 90 clock hours of instruction under the program.

For additional information on "Plans to Develop Fully Qualified Educators" consult "Emergency Permits and Credential Waivers: A Program Advisory with Requirements and Guidelines", Commission on Teacher Credentialing, April 1994, or call Linda Bond, Consultant in Professional Services, at (916) 327-0586.

VI. VARIABLE TERM WAIVERS

When an employing agency faces a shortage of credentialed personnel, including people who qualify for emergency permits and those who can be assigned on the basis of the various options provided in the Education Code and Title 5 Regulations, the agency may apply to the Commission for a Variable Term Waiver. The waiver may be approved for a year or longer depending on the circumstances. The form for requesting a waiver (WV1) can be found on page 6. Several examples of Variable Term Waiver situations and instructions for completing the form follow the form. *Note: if the Legal and Professional Standards Division of the Commission must conduct a fitness review for an applicant, his or her waiver will not be granted until the review has been concluded.*

- (A) Waiver requests to allow educators additional time to complete a credential requirement must include the general requirements listed above, plus:
- (1) a list of the requirement(s) that the applicant must complete to qualify for the credential;
 - (2) a signed commitment from the applicant that he or she will complete the needed requirement(s) by a specified date;
 - (3) a statement of commitment from the employing agency to support and assist the applicant, as feasible, in completing the requirement(s); and
 - (4) the name and position of the person assigned to provide support and assistance during the term of the waiver.
- (B) Waiver requests for geographically isolated regions with severely limited ability to develop personnel must include the general requirements listed above, plus:
- (1) as part of the justification, an explanation of the difficulties involved in reaching the nearest college or university that offers appropriate approved course work and the attempts that have been made to access special programs; and
 - (2) a Plan to Develop Fully Qualified Educators, pursuant to Title 5 §80026.4, or a brief explanation as to why such a plan cannot be submitted.
- (C) Waiver requests to facilitate assignment in school programs addressing issues of educational reform must include the general requirements listed above, plus:
- (1) as part of the justification, an explanation of the type of reform being pursued, such as "Caught in the Middle", "Second to None", "It's Elementary", or the science teachers' "Scope, Sequence and Coordination" program; and
 - (2) verification that the applicants are voluntary participants in the educational reform program.
- (D) Waivers for other situations when all efforts to find appropriately credentialed teachers have been exhausted and no other legal remedy exists must include the general requirements listed above. Additional information relevant to the specific waiver should be included as part of the justification, as follows:
- (1) for waivers of *CBEST for an Emergency 30-Day Substitute Teaching Permit*:
 - (a) whether the applicant has had an opportunity to take the exam; and
 - (b) whether he or she has held an emergency credential or permit based on a CBEST waiver in the past.
 - (2) for waivers of *CBEST for full-time educator*:
 - (a) a reference to the County's Declaration of Need for Fully Qualified Educators to indicate there is a regional shortage of qualified candidates;
 - (b) information about the applicant's expertise in the subject or service area which makes him or her the best candidate for the position; and,
 - (c) for applicants who have failed CBEST, evidence that there is a reasonable expectation that the candidate will be successful within the term of the waiver (i.e., his or her scores are within a range that indicates probability of passage) and that he or she is receiving tutorial or other support to strengthen his or her basic skills.
 - (3) for waivers of the bachelor's *degree for an Emergency 30-Day Substitute Teaching Permit*:
 - (a) information about when the applicant is scheduled to complete degree requirements, such as a letter from the Office of Admissions and Records from the candidate's college or university;

- (b) information about the applicant's expertise in the subject or service area to be waived which makes him or her the best candidate for the position; and
 - (c) how the employing agency plans to support and assist the applicant, as feasible, in completing the requirements.
- (4) for waivers of the *professional preparation program for the Adapted Physical Education Credential*:
- (a) information about the applicant's expertise in physical education (such as a credential that authorizes the teaching of PE), and adapted physical education, which makes him or her the best candidate for the position;
 - (b) when and how the applicant plans to complete requirements for the credential; and
 - (c) how the employing agency plans to support and assist the applicant, as feasible, in completing the requirements.
- (5) for waivers of the *professional preparation program for the Specialist Instruction Credential in Special Education*:
- (a) information about the applicant's expertise in teaching (such as a credential that authorizes teaching in a non-special-education classroom), and in special education, which makes him or her the best candidate for the position;
 - (b) when and how the applicant plans to complete requirements for the credential; and
 - (c) how the employing agency plans to support and assist the applicant, as feasible, in completing the requirements.
- (6) for waivers of the *professional preparation program for the Resource Specialist Certificate*:
- (a) information about the applicant's expertise in teaching (such as a credential that authorizes teaching in a non-special-education classroom), and in special education, which makes him or her the best candidate for the position, including information about the number of years of teaching experience he or she has in both regular and special education;
 - (b) when and how the applicant plans to complete requirements for the credential; and
 - (c) how the employing agency plans to support and assist the applicant, as feasible, in completing the requirements.
- (7) for *wavers for other requirements*:
- (a) a reference to the County's Declaration of Need for Fully Qualified Educators to indicate there is a regional shortage of qualified candidates;
 - (b) information about the applicant's expertise in the subject or service area which makes him or her the best candidate for the position;
 - (c) a list of the requirements that the applicant must complete to qualify for the credential;
 - (d) when and how the applicant plans to complete requirements for the credential;
 - (e) how the employing agency plans to support and assist the applicant, as feasible, in completing the requirements; and
 - (f) any other documentation that supports the request.

VII. SUBSEQUENT VARIABLE TERM WAIVERS

Depending on the situation, the Commission will review requests for subsequent waivers from employing agencies on behalf of individuals who have been employed on the basis of a waiver in the past. To obtain a subsequent waiver the applicant must have made progress toward full certification in the area of the waiver. A statement to that effect appears on the waiver request form and must be signed by the applicant. All of the above requirements apply to requests for subsequent waivers.

VIII. ADDITIONAL INFORMATION

Contact the Commission's Information Services Office any workday afternoon between 12:30 and 4:30 at (916) 445-7256 for additional information.

State of California
COMMISSION ON TEACHER CREDENTIALING
 Box 944270 (1812 9th Street)
 Sacramento, CA 94244-2700
 (916) 445-7254

Commission Use Only

VARIABLE TERM WAIVER REQUEST

The Commission reviews request for waivers that have expressly to do with educator preparation and credentialing, and with the ability of employers to employ or assign persons who are not appropriately credentialed for their assignment. All other waivers remain under the legal authority of the State Board of Education or Superintendent of Public Instruction, who may not issue credential waivers on or after July 1, 1994.

Requests for Variable Term Waivers may be submitted by employing agencies, including school districts, county offices of education and non-public schools, and by postsecondary institutions and individual applicants, when all efforts to find appropriately credentialed personnel have been exhausted and no other legal remedies exist. The Commission may grant a waiver upon its finding that professional preparation equivalent to that prescribed under the provision or provisions to be waived will be completed by the applicant or applicants affected. Variable term waivers may be requested for a term of one year or longer, depending on the circumstances.

If the Legal and Professional Standards Division of the Commission must conduct a fitness review for an applicant for a waiver, his or her waiver will not be granted until the review has been concluded.

1. Employing Agency <input type="checkbox"/> NPS/NPA (list county code _____)	CDS Code	Contact Person Telephone Number
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2. Applicant for the Waiver

Full Legal Name _____

Social Security Number _____

Mailing Address _____

Credential Held (if any) _____

Assignment _____

Fingerprint Clearance on file at CTC

Application for Certificate of Clearance Attached

3. Education Code or Title 5 Section to be Waived: EC §44830(a)

"A governing board of a school district shall employ for positions requiring certification qualifications, only person who possess the qualifications therefor prescribed by law..."

Applicant's Credential Goal: _____
(title of the credential which authorizes the service needed)

Specific section(s) covering requirements the applicant must meet to reach his or her Credential Goal: _____

(refer to Waiver Guidelines section IV for examples)

Brief Description of Section(s):

4. Purpose of Waiver

Describe the situation which resulted in this waiver request.

5. Proposed Solution and Justification

Describe how the requested waiver will remedy the situation, why this person is the best candidate for the position, and any negative effects that are likely to occur if the waiver is not granted.

6. Effective Dates of the Waiver

_____/_____/_____ to ____/____/_____

If the waiver request is for longer than one year, please explain why.

7. Requests for Additional Time to Complete Requirements

(a) List the credential program or programs that the applicant must complete in order to qualify for the document listed as his or her credential goal and a target date by which he or she plans to complete those program(s). If the applicant has only a single program to complete, list the specific credential requirements which he or she plans to complete during the period of the waiver.

(b) List the name and position of the person assigned to provide support and assistance during the term of the waiver. By assigning this individual, the employing agency makes a commitment to support and assist the applicant, as feasible, in completing the requirement(s).

Name: _____ Position: _____

8. Requests from Geographically Isolated Regions

- Plan to Develop Fully Qualified Educators attached.
- Plan previously submitted to CTC.

If the plan is not attached or has not been previously submitted, write a brief explanation as to why such a plan cannot be submitted.

9. Requests for Subsequent Waivers

If this applicant has previously been issued a waiver for this assignment, describe the progress that he or she has made toward completion of the requirements for the credential that authorizes the service covered by this waiver request. Include official transcripts, examination score reports, verifications of appropriate course work from a college or university with a Commission-approved program, and other documentation, as appropriate.

10. SELPA Consultation

If the waiver requests the assignment of a teacher to a special education class, indicate whether the local Special Education Local Plan Area (SELPA) was consulted about the assignment. Yes No

If yes, list the SELPA's code and the name and telephone number of the individual the Commission may contact if there are any questions about the assignment.

SELPA Code _____ Name of Administrator _____
Telephone Number _____

11. Applicant's Certification

I understand that in order to receive a subsequent waiver for this assignment I must pursue the completion of requirements to obtain full certification in the subject or area covered by this waiver request as specified in #7 above.

Signature of Applicant

Date

12. Employing Agency Certification

I certify under penalty of perjury that the information provided in this report is accurate and complete.

Superintendent or Designee _____
Signature _____
Title _____
Date _____

VARIABLE TERM WAIVERS

EXAMPLE: A school district needs a Resource Specialist. The position has been advertised, but no fully-credentialed Resource Specialist has applied. The district interviews a teacher with a Specialist Instruction Credential for the Learning Handicapped who is enrolled in a Resource Specialist program, but who has only two years of teaching experience, thus does not qualify for the preliminary certificate. The district requests a Variable Term Waiver for one year for this teacher so that she may serve as a Resource Specialist while she completes both the program and the experience requirements for the certificate.

EXAMPLE: A school district located near the California/Oregon border has the holder of a Standard Elementary Teaching Credential serving as librarian on the basis of an Emergency Library Media Teacher Services Permit. The Permit is about to expire and the teacher has been unable to enroll in a program or take any course work because there is no college or university with an approved program within a reasonable commute. The teacher has tried and failed to arrange correspondence or "distance learning" courses to meet the renewal requirements. The district requests a Variable Term Waiver and submits a Plan to Develop Fully Qualified Educators explaining how they will support and assist the teacher in completing the credential requirements.

EXAMPLE: A school district needs a special education teacher for a special day class. The individual currently serving in the class was assigned for twenty days off the substitute list and holds only an Emergency 30-Day Substitute Teaching Permit. Before completing his bachelor's degree to qualify for the 30-Day Sub, this individual served as a teacher's aide in a special education class at this school for three years. The one credentialed teacher who applied for the position holds a preliminary Multiple Subject Teaching Credential so would qualify for the Emergency Permit, but has no experience in special education and does not meet the district's specified employment criteria for the position. The district requests a Variable Term Waiver and the applicant makes a commitment to begin work to complete the requirements for the Specialist Instruction Credential in Special Education.

Instructions for Completing Request for Variable Term Waiver (WV1):

- 1. Employing Agency:** Enter the name of the school district or county office of education preparing the request and the CDS code. If the service is to be provided in a Non-Public School or Agency, enter the name of the NPS/NPA, check the box, and provide the county code for the county in which the NPS/NPA is located. Enter the name and telephone number of the individual the Commission may contact if there are questions about the waiver request. School Districts and NPS/NPAs should discuss with their county offices of education what information the county would like to have submitted to them concerning waiver requests (e.g., a copy of this request form or a memo stating that it has been submitted or something else).
- 2. Applicant for the Waiver:** Please use one Waiver Request form per applicant. Enter the applicant's full legal name, social security number, mailing address, titles of credentials held (if any), and a brief description of the assignment for which this waiver is being requested (e.g., sixth grade bilingual classroom or Adapted Physical Education). Also indicate whether the applicant already has fingerprint clearance on file with the Commission or an application for a Certificate of Clearance is attached.
- 3. Education Code or Title 5 Section to be Waived:** First, list the title of the applicant's credential goal--this is the credential which authorizes the service the applicant will be performing. The Commission does recognize that not every applicant for a waiver will complete the requirements for his or her "Credential Goal"--a fully-credentialed educator may be hired to fill the position or the applicant may qualify for the position under one of the available assignment options. However, a "Credential Goal" will be listed on each Waiver Approval Letter so that the authorization can be clearly stated. No other document will be required for the service that is covered by the waiver.

Because the Waiver Approval Letter will authorize service for the applicant's stated credential goal, every waiver essentially waives Education Code §44830(a) which states: "A governing board of a school district shall employ for positions requiring certification qualifications, only person who possess the qualifications therefor prescribed by law...". In addition, identify the Education Code or Title 5 section(s) for the specific requirements the applicant needs to complete to reach his or her credential goal. Provide a brief description of the section such as that provided in guidelines sheet. The chart in section IV of the Waiver Guidelines and Instructions provides code numbers and descriptions for the codes that have been waived most frequently in the past.

4. **Purpose of Waiver:** Describe the situation which resulted in this request for a waiver. This may include, for example, information about the employing agency's attempts to recruit fully credentialed teachers, including a reference to the annual Declaration of Need for Fully Qualified Educators prepared prior to the employment of individuals on Emergency Permits, or a description of the location of the district and the access to college or university programs.
5. **Proposed Solution and Justification:** Describe how the requested waiver will remedy the situation, why this person is a best candidate for the position, and any negative effects that are likely to occur if the waiver is not granted. Reference to the employer's Plan to Develop Fully Qualified Educators, a description of how the employing agency plans to support and assist the applicant in completing the requirements, and any other information that supports the request should be included in this section. Attach documentation as necessary.
6. **Effective Dates of the Waiver:** A variable term waiver may be issued for one year or longer. If this request is for a period longer than one year, please explain why. These are the date that will appear on the Waiver Approval Letter. Waiver Requests should be completed before the applicant enters the assignment, whenever possible, and should be submitted to the Commission within eight weeks of completion so that they can be scheduled for the Commission agenda in a timely manner. If the waiver request arrives more than eight weeks after the beginning of the assignment, an explanation of the delay should be attached.
7. **Requests for Additional Time to Complete Requirements:** List the credential program or programs that the applicant must complete in order to qualify for the document listed as his or her credential goal and a target date by which he or she plans to complete those program(s). For example, if the applicant holds only an Emergency 30-Day Substitute Teaching Permit and will be serving on this waiver in a Resource Specialist position, list the basic teaching credential (Multiple or Single Subject), the Specialist Instruction Credential (LH, SH, CH, etc.), and the Resource Specialist Certificate.
If the applicant has only a single program to complete, list the specific credential requirements which he or she plans to complete during the period of the waiver. For example, if the applicant for the waiver to serve in a Resource Specialist position has both a basic credential and a specialist credential, but does not have sufficient experience in special education to qualify for the preliminary Resource Specialist Certificate, list only the number of years of experience needed.
In subsection (b), list the name and position of the person assigned to provide support and assistance during the term of the waiver. By assigning this individual, the employing agency makes a commitment to support and assist the applicant, as feasible, in completing the requirement(s).
8. **Requests from Geographically Isolated Regions:** Check the appropriate box if a Plan to Develop Fully Qualified Educators is attached or has already been submitted to the Commission. If plan is not attached, write a brief explanation as to why such a plan cannot be submitted.

CTC WAIVER GUIDELINES, FORMS AND INSTRUCTIONS

9. **Requests for Subsequent Waivers:** If this applicant has previously been issued a waiver for this assignment, describe the progress that he or she has made toward completion of the requirements for the credential that authorizes the service covered by this waiver request. Include official transcripts, examination score reports, verifications of appropriate course work from a college or university with a Commission-approved program, and other documentation as appropriate.
10. **SELPA Consultation:** If the waiver requests the assignment of a teacher to a special education class, indicate whether the local Special Education Local Plan Area (SELPA) was consulted about the assignment. List the SELPA's number and the name and telephone number of the individual the Commission may contact if there are any questions about the assignment.
11. **Applicant's Certification:** The applicant must sign that he or she understands that in order to receive a subsequent waiver for this assignment he or she must pursue the completion of requirements to obtain full certification in the subject or area covered by this waiver request as specified in #7 above.
12. **Employing Agency Certification:** The district or county superintendent, or the head of the state agency or non-public school, must sign the request to verify that the information is accurate and complete. The certification also assures the Commission that the employing agency will support and assist the applicant, as feasible, in completing the requirements for the appropriate credential.

SAMPLE

Employing Agency Letterhead

REPORT ON LOCALLY APPROVED SHORT-TERM WAIVERS

Employing agencies may grant a short-term waiver as described in Title 5, §80120-§80123, California Code or Regulations, without prior approval by the Commission, provided that a short-term waiver may be issued one time only for any individual and one time only for a given class. The information required under §80122 for this type of waiver shall be forwarded to the County Office of Education pursuant to Education Code §44258.9. The employing agency may use this form to provide the required information or may develop its own form. The Commission may rescind the authority of any employing agency to grant a short-term waiver upon a finding that the agency has intentionally violated any provision of Title 5, §80120-§80123. Short-Term Waivers are valid for no more than one semester. Each County Office of Education should include information on Short-Term Waivers in its annual Assignment Monitoring Report.

1. Employing Agency	CDS Code	Contact Person Telephone Number
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2. **Education Code or Title 5 Section Waived**
 Section Number: _____
 Brief Description of Section: _____

3. **Purpose of Waiver**
 Describe the situation which resulted in the waiver.

4. **Proposed Solution and Justification**
 Describe how the waiver remedied the situation and any negative effects that were avoided by use of the waiver.

5. **Effective Dates of the Waiver** _____/_____/_____ to _____/_____/_____

CTC WAIVER GUIDELINES, FORMS AND INSTRUCTIONS

6. **Teachers Covered by the Waiver**
Attach copies of the signed teacher consent forms.

Name _____ SSN _____

Credential Held _____

Assignment _____

Name _____ SSN _____

Credential Held _____

Assignment _____

Name _____ SSN _____

Credential Held _____

Assignment _____

Name _____ SSN _____

Credential Held _____

Assignment _____

6. **SELPA Consultation**
If the waiver allowed the assignment of a teacher to a special education class, did you consult the local SELPA about the assignment. Yes No

7. **Employing Agency Certification**
The information provided in this report is accurate and complete. No other Short-Term Waiver has been approved for the teachers listed in this document or for the classes to which they were assigned.

Superintendent or Designee _____

Signature _____

Title _____

Date _____

SHORT-TERM WAIVERS

EXAMPLE: A school district anticipates enrollment in the high school to include nine classes in the subject of mathematics and four in industrial and technology education. When the semester begins, the actual enrollment requires ten math classes. Because the enrollment for industrial technology is down slightly, the site administrator asks one of the industrial technology teachers if she would be willing to teach the additional math class until either the class schedule can be arranged so that one of the regular math teachers can take the additional class or another fully credentialed math teacher can be found. The teacher consents to the assignment and a Short-Term Waiver is approved.

EXAMPLE: A teacher for the learning handicapped becomes ill during the first week of the spring semester. The employing agency has already filed a Declaration of Need for Fully Qualified Educators for the year indicating that there is a shortage of special education teachers in the area. The site administrator contacts an elementary teacher who has previously expressed an interest in teaching in a special education setting and offers him the position. The teacher consents to the assignment and a Short Term Waiver is approved for the remainder of the semester or until the teacher returns from sick leave, whichever is sooner.

Instructions for Preparing the Report on Locally Approved Short-Term Waivers (WV2):

1. **Employing Agency:** Enter the name of the school district or county office of education preparing the report. Include the CDS code and the name and telephone number of the individual the monitoring agency can contact if there are questions about the waiver.
2. **Education Code or Title 5 Section Waived:** Cite the specific section of the California Education Code or of Title 5, California Code of Regulations, which has been waived. Provide a brief description, such as that provided in the Section IV of the Guidelines.
3. **Purpose of Waiver:** Describe the situation which resulted in the waiver. In the example above, the illness of the teacher, the lack of appropriately credentialed replacements, and the willingness of a teacher who lacked the appropriate credential to take the assignment constitute the situation that resulted in the waiver.
4. **Proposed Solution and Justification:** Describe how the waiver remedied the situation and any negative effects that were avoided by use of the waiver. Copies of the employer's Plan to Develop Fully Qualified Educators and the annual Declaration of Need for Fully Qualified Educators may be included as part of the solution and justification.
5. **Effective Dates of the Waiver:** A short-term waiver may not be approved for longer than a semester. If the assignment is expected to last longer than one semester, the employing agency must apply to the Commission for an Emergency Limited Assignment Teaching Permit or Variable Term Waiver, as appropriate.
6. **Teachers Covered by the Waiver:** List the names of the teacher or teachers assigned on the basis of the waiver described above. Include their social security numbers, the title of the credential that each currently holds, and a description of the assignment. Attach copies of the signed teacher consent forms to the report.
6. **SELPA Consultation:** If the waiver allowed the assignment of a teacher to a special education class, indicate whether the local Special Education Local Planning Area (SELPA) was consulted about the assignment.
7. **Employing Agency Certification:** The district or county superintendent should sign the report to verify that the information is accurate and complete and that no other Short-Term Waiver has been approved for the teachers listed in the document or for the classes to which they were assigned.

**Creating A Plan to Develop Fully Qualified Educators for
Individuals Serving on Emergency Permits or Credential
Waivers: Guidance to Local Education Agencies**

May 5, 1994

Commission on Teacher Credentialing

***Who May Submit A Plan to Develop Fully Qualified
Educators to the Commission for Approval?***

New Title 5 regulations, effective May 20, 1994, authorize an employing agency to submit an emergency permit application, or a request for a credential waiver, to the Commission on Teacher Credentialing. Section 80026.4 of these regulations also authorizes any employing agency to submit a "Plan to Develop Fully Qualified Educators" to the Commission for approval. Such plans may be developed in collaboration with a county office of education, regionally accredited college or university, Special Education Local Plan Area, or other public education entity in the region.

***Who Should Consider Creating A Plan to Develop Fully
Qualified Educators?***

Employing agencies may consider creating a "Plan to Develop Fully Qualified Educators" if they want to :

- (a) Offer an alternative to the completion of approved college course work. First-time holders of emergency permits may apply for renewal of the permit based upon completion of 90 clock hours of instruction under an approved Plan to Develop, in lieu of completing 6 units of college or university course work.
- (b) Offer an alternative to enrollment in an approved program for individuals serving on a variable term credential waiver, especially in geographically isolated regions which have severely limited ability to recruit and develop personnel.
- (c) Propose to the Commission ways to streamline or decentralize procedures for the issuance or renewal of any emergency

Commission on Teacher Credentialing WAIVER GUIDELINES, FORMS, AND INSTRUCTIONS:

With the approval of Title 5 Regulations, the Commission will begin to review, and either grant or deny, requests for waivers that have expressly to do with educator preparation and credentialing, and with the ability of employers to employ or assign persons who are not appropriately credentialed for their assignment. All other waivers remain under the legal authority of the State Board of Education or Superintendent of Public Instruction, who may not issue credential waivers on or after July 1, 1994.

I. CATEGORIES OF WAIVERS

Title 5, §80120, specifies the categories of waivers available to employing agencies. The regulations are quoted Appendix C of this Advisory.

- (A) **SHORT TERM WAIVERS** are handled at the local level and provide the employing agency with one semester or less to address unanticipated, immediate, short-term organizational needs by assigning teachers who hold basic credentials to teach outside of their credential authorizations, with the teacher's consent.
- (B) **VARIABLE TERM WAIVERS** are approved by the Commission at a regularly scheduled meeting and provide the employing agency with one year or longer to:
 - (1) allow educators additional time to complete a requirement;
 - (2) facilitate assignment in school programs addressing issues of educational reform;
 - (3) design a Plan to Develop Fully Qualified Educators--this option applies mainly to geographically isolated regions with severely limited resources; or
 - (4) obtain waivers for other situations when all efforts to find appropriately credentialed educators have been exhausted and no other legal remedies exist.

II. WAIVER APPLICATION PROCESS

Each waiver request (use form WV1--page 6) must be submitted to the Commission on behalf of a specific individual, and all supporting materials must accompany the request. There is no fee for a waiver request. Waiver requests should be submitted in time to receive Commission approval prior to the applicant's first day of service, whenever possible. Waiver requests will be reviewed by Commission staff when they arrive and any questions will be resolved before the request will be scheduled for the Commission agenda. We anticipate this process will take no more than eight weeks. After a waiver request has been approved by the Commission, staff will issue a numbered Waiver Approval Letter that will identify the applicant's "Credential Goal" and the appropriate authorization. No other document will be required for the service that is covered by the waiver. The Commission does recognize that not every applicant for a waiver will complete the requirements for his or her "Credential Goal"--a fully-credentialed educator may be hired to fill the position or the applicant may qualify for the position under one of the available assignment options. However, a "Credential Goal" will be listed on each Waiver Approval Letter so that the authorization can be clearly stated.

III. REQUIREMENTS FOR ALL WAIVERS

Title 5 §80122 states what each application for a waiver must include. The sample forms that are attached provide space for an employing agency to supply this information.

- (A) name of employing agency;
- (B) Education Code or Title 5 section for which waiver is requested;
- (C) purpose of the waiver request;
- (D) proposed solution and justification for the waiver;
- (E) identification (name and social security number) of the applicant or applicants for whom the waiver is requested;
- (F) fingerprint clearance for each applicant;
- (G) effective date and proposed duration of the waiver; and
- (H) signature of the appropriate administrative official from the employing agency.

IV. EXAMPLES OF CODE SECTIONS THAT MIGHT BE WAIVED

Because the Waiver Approval Letter will authorize service for the applicant's stated credential goal, every waiver essentially waives Education Code §44830(a). In addition, each waiver request must identify the Education Code or Title 5 section(s) for the specific requirements the applicant needs to complete to reach his or her credential goal. Historically, the most frequent waiver requests have been for the credential requirements listed below. The Education Code or Title 5 Regulation sections which state these requirements are provided for the convenience of employing agencies requesting these waivers.

	<i>Description</i>	<i>Section Number</i>
(A)	CBEST for a credential or permit	EC §44252(b)
(B)	Bachelor's degree for Emergency 30-Day Substitute Teaching Permit	T5 §80025 (a)(1)
(C)	Professional preparation program for a Specialist Instruction Credentials in Special Education, Reading, etc.	EC §44265
(D)	Professional preparation program for a Resource Specialist Certificate	EC §56362.5
(E)	Experience for a Resource Specialist Certificate	T5 §80070.3(a)(2)
(F)	Professional preparation program for an Adapted Physical Education Credential	T5 §80046.1
(G)	Course work requirements for a Designated Subjects Credential in Driver's Education & Training	EC §44260.4
(H)	Professional preparation program for a Library Media Teacher Services Credential	EC §44269
(I)	Certificate or credential to provide instruction to Limited English Proficient (LEP) students	EC §44253.3
(J)	Single Subject Teaching Credential needed for assignment in school programs addressing issues of educational reform	EC §44256(a)
(K)	Multiple Subject Teaching Credential needed for assignment in school programs addressing issues of educational reform	EC §44256(b)

V. SHORT-TERM WAIVERS

When an employing agency faces a temporary, unanticipated, immediate, short-term organizational need for a teacher, it may assign a credentialed teacher to an area not authorized by his or her credential on the basis of a short-term waiver. Commission approval is not required, but the Commission may rescind the authority of any employing agency to grant a short-term waiver upon a finding that the agency has intentionally violated any provision of Title 5, §80120-§80123. The short-term waiver:

- (A) may not be issued for longer than a semester;
- (B) may be issued to the holder of a basic teaching credential only--that is a credential that required a bachelor's or higher degree and professional preparation program including student teaching, or a clear full-time designated subjects credential provided the holder also possesses a bachelor's degree and has passed CBEST;
- (C) must be in a subject not authorized by the teacher's credential or by an available option provided elsewhere in statute or regulation;
- (D) requires the consent of the teacher;
- (E) may only be issued once to an individual teacher;
- (F) may only be issued once for a given class; and
- (G) must be documented, and the documentation must be forwarded to the County Office of Education for monitoring purposes. Page 60 contains a sample form (WV2) that employing agencies may use to provide this information to their County Office. An example of a short-term waiver situation and instructions for completing the form follow the form.

EMERGENCY 30-DAY SUBSTITUTE TEACHING PERMITS

Requirements for the issuance and reissuance:

- (1) possession of a baccalaureate or higher degree from a regionally accredited college or university;
- (2) passage of the California Basic Educational Skills Test (CBEST);
- (3) submission to the Commission on Teacher Credentialing of a completed credential application form; appropriate fee(s); and,
- (4) unless clearance is already on file with the Commission, personal identification on duplicate fingerprint cards (form BID7 Rev. 11/87 or later) and the Application for Character and Identification Clearance (form 41-CIC).

Authorization:

The Emergency 30-Day Substitute Teaching Permit 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 provided the employing agency has a completed Statement of Need on file for the school year. However, the holder shall not serve as a substitute for more than 30 days for any one teacher during the school year.

Valid Dates:

An Emergency 30-Day Substitute Teaching Permit is valid for no less than one year and expires one calendar year from the first day of the month immediately following the date of issuance.

The Statement of Need for 30-day Substitute Teachers that is completed yearly and kept on file at the county office of education, school district office, or office of the state agency must:

- (1) describe the situation or circumstances that necessitate the use of an emergency permit holder, and
- (2) state that either a credentialed person is not available, or that one or more credentialed persons are available, but do not meet the specified employment criteria established for the position by the employing agency, and
- (3) be prepared and signed by, as applicable, the superintendent of the employing school district, the superintendent of the employing county if the service will be rendered in county operated schools, or the head of the state agency under which the employing school operates.



State of California
COMMISSION ON TEACHER CREDENTIALING
 Box 944270 (1812 9th Street)
 Sacramento, CA 94244-2700
 (916) 445-7254

**ANNUAL STATEMENT OF NEED
 EMERGENCY 30-DAY SUBSTITUTE TEACHING PERMIT**

This form is to be completed each school year by each employing agency planning to hire individuals who hold Emergency 30-Day Substitute Teaching Permits and must be kept on file at that agency throughout the 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 do not meet the specified employment criteria established by the employing agency, 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.

THIS FORM MAY BE DUPLICATED

**Employment Statement
 LIMITED ASSIGNMENT EMERGENCY TEACHING PERMIT
 Including Teacher Consent and Board Approval**

1. This Employment Statement and Consent-Board Approval Form is submitted in support of an application for a Limited (Assignment) Emergency Teaching Permit.

2. The person, whose credential application this Employment Statement and Consent-Board Approval Form is submitted in support is

Name of Applicant _____
 (Print or type) Last First Middle
 Social Security No.: _____

3. This person is currently employed and will continue to be employed in the

Name of school _____
 Name of district _____ CDS Code _____
 Name of county (or state agency, if applicable) _____ CDS Code _____

4. (Brief description of assignment) The assignment which is to be covered by the Limited (Assignment) Emergency Teaching Permit, if granted, includes the following

a. List subject(s) to be taught if departmentalized classes, or designate if self-contained class

b. List grade(s) to be taught _____

c. Specify portion of school day (periods or percentage of time) to be taught _____

5. The situation or circumstances that necessitates the use of an Emergency credential holder are described below (use and attach additional sheet if necessary)

6. No credentialed teacher is available to fill this position, or one or more credentialed teachers are available, but do not meet the specified employment criteria established for the position by the employing agency.

CONSENT AND BOARD APPROVAL

I hereby consent to the teaching assignment as described in Section 4 of this form.

Teacher to be assigned _____
 Name (print or type) Signature Date

I hereby consent to the assignment of the above named teacher as described in Section 4 of this form. Further, I hereby certify that all of the information contained in this form is true and correct, and that prior approval of the assignment described in Section 4 of this form has been granted by the local governing board.

District Superintendent _____
 Name (print or type) Signature Date

County Superintendent of
 Schools (or Head of State
 Agency, as applicable) _____
 Name (print or type) Signature Date

NOTE: Service in the employ of a public school or school district requires the signature of the district superintendent. Service in the employ of a county superintendent of schools office or a private school requires the signature of the county superintendent of schools. Service in the employ of a state agency requires the signature of the Head of the State Agency.

LIMITED ASSIGNMENT EMERGENCY MULTIPLE OR SINGLE SUBJECT TEACHING PERMITS

Requirements for initial issuance:

- (1) The applicant must be currently employed by the local governing board requesting such assignment.
- (2) The applicant must hold a valid California teaching credential based on a baccalaureate degree and a professional preparation program, including student teaching.
- (3) The applicant must submit a completed application form and the fee(s).
- (4) The application must be accompanied by the appropriate Commission-approved form (CL-542) signed by the applicant and an appropriate employing agency official verifying consent of both parties; describing briefly the whole assignment which the emergency permit holder will teach; explaining the situation or circumstances that necessitate the use of an emergency permit holder; stating that either a credentialed person is not available, or that one or more credentialed persons are available, but do not meet the specified employment criteria established for that position by the employing agency; and verifying prior approval of the assignment by the local governing board.

Requirements for renewal:

- (1) The applicant must be currently employed by the local governing board requesting such assignment.
- (2) The applicant must hold a valid California teaching credential based on a baccalaureate degree and a professional preparation program, including student teaching.
- (3) The applicant must submit verification of the completion of at least six semester units, or the equivalent quarter units, of course work required for issuance of the appropriate credential. The holder of a Limited Assignment Emergency Permit, who has previously taught three or more years on a credential other than an emergency credential or permit, may submit the following in lieu of the required 6 semester units:
 - (A) verification that he or she has completed ninety hours of professional development activities that are directly related to the subject or class authorized by the Limited Assignment Emergency Multiple or Single Subject Teaching Permit; and
 - (B) submission of a Validation of Professional Development Statement, signed by the employing agency and the permit holder, that includes a brief description of the content of the teacher's professional development program, a brief description of the means by which the employing agency validated the quality and appropriateness of the teacher's professional development program, and a brief description of the manner in which the results of the teacher's professional development program were evaluated.
- (4) The applicant must submit a completed application form and the fee(s).
- (5) The application must be accompanied by the appropriate Commission-approved form (CL-542) signed by the applicant and an appropriate employing agency official verifying consent of both parties; describing briefly the whole assignment which the emergency permit holder will teach; explaining the situation or circumstances that necessitate the use of an emergency permit holder; stating that either a credentialed person is not available, or that one or more credentialed persons are available, but do not meet the specified employment criteria established for that position by the employing agency; and verifying prior approval of the assignment by the local governing board.

Authorization: The Limited Assignment Emergency Multiple or Single Subject Teaching Permit authorizes the holder to teach in the assignment described in the statement signed by the teacher and the appropriate employing agency official, and approved by the local governing board.

Valid dates:

- An emergency permit issued between July 1 and the following January 31 shall expire on June 30 following the date of issuance.
- An emergency permit issued between February 1 and June 30 shall expire on January 31 following the date of issuance.

EMERGENCY PERMIT ENCLOSURE & RENEWAL VERIFICATIONS

DATING OF EMERGENCY PERMITS:

An emergency permit issued between July 1st and January 31st shall be issued for not more than one year and shall terminate on June 30th following the date of issuance. An emergency permit issued between February 1st and June 30th shall be issued for not more than one year and shall terminate on January 31st following the date of issuance.

An Emergency Special Education permit, based on possession of a prerequisite California teaching credential, is issued for the full term provided by regulation if the prerequisite teaching credential remains valid for the same period of time. If the prerequisite teaching credential expires before the June 30th or January 31st expiration dates mentioned above, the emergency permit will be dated to expire on the same day. An applicant may apply for an extension of the emergency permit to expire on June 30th or January 31st as provided in the regulation if the prerequisite teaching credential is renewed at the same time. The renewal requirements do not have to be completed for this extension of the emergency permit.

INSTRUCTIONS TO THE APPLICANT:

In order to renew this emergency permit for an additional year, you must apply through your employing agency and must submit a complete application packet, including payment of the fee(s) and other documents required to verify completion of all requirements for the emergency permit. Your employing agency must state that you received appropriated orientation, guidance and assistance by completing the verification below. In addition, you must verify one of the following:

- (1) admission to and enrollment in a Commission-approved professional preparation program, and completion of at least six semester units (or the equivalent quarter units) of course work required for issuance of the appropriate credential, verified by the college or university on the reverse of this form; or
- (2) for the first renewal only, completion of a minimum of ninety hours of professional development activities that are directly related to the subject or class authorized by the emergency permit if your employing agency has a Plan to Develop Fully Qualified Educators which has been approved by the Commission.

Your employing agency must have on file with the Commission an annual Declaration of Need for Fully Qualified Educators and must verify that orientation, guidance and assistance have been provided.

NOTE: Your employer is obligated under law to seek an appropriately credentialed person to fill every position and may only request an emergency permit if no such person is available or no credentialed person meets the specified employment criteria for the position. Therefore, it is in your best interest to complete the requirements for the credential as soon as you are able.

INSTRUCTIONS TO THE EMPLOYING AGENCY:

VERIFICATION THAT ORIENTATION, GUIDANCE & ASSISTANCE HAVE BEEN PROVIDED TO INDIVIDUALS SERVING ON EMERGENCY TEACHING PERMITS

(Print or type Name of Applicant)

- [] I certify that the above-named individual, while serving as a teacher on an emergency permit for the first time, **was provided with an orientation to teaching**, including an overview of curriculum, classroom instruction, and effective techniques of classroom management at his or her assigned level.

[] I certify that the above named individual, while serving as a teacher on an emergency permit, WAS assigned an experienced educator to guide and assist him or her as required by Title 5 §80026.5(b).

Signature _____
Name (Print or Type) _____
Title _____
Employing Agency _____
Date _____

INSTRUCTIONS TO THE INSTITUTION:

VERIFICATION OF COMPLETION OF APPROPRIATE COURSE WORK AND/OR ADMISSION TO PROGRAM

Please fill in the applicant's name and check the box that applies, then sign this form and return it to the applicant so it can be attached to his or her application for reissuance of the Emergency Permit.

The verification of admission to a credential program and completion of units toward the credential should be verified by the person designated by the Dean or head of the Education Department to sign recommendations and waiver statements for credential purposes.

(Print or type Name of Applicant)

[] I certify that the above-named individual **has been admitted** to the:

_____ credential program,

and has completed the SIX SEMESTER UNITS (nine quarter units) of course work required for renewal of the emergency permit. These units are acceptable toward the credential program listed above. Official transcripts are enclosed.

Normally, continuing education units, in-service units, and professional development seminars cannot be used to fulfill the six semester or nine quarter unit renewal requirement; however, they may be used if the regionally accredited California college or university where the units were completed verifies that the course work is acceptable toward a bachelors or higher degree.

[] **We have been unable to admit** this person to our credential program for the following reason(s), but verify that SIX SEMESTER UNITS (nine quarter units) of course work accepted by this institution toward the appropriate credential have been completed. Official transcripts are enclosed.

REASON: _____

Signature _____
Name (Print or Type) _____
Title _____
Institution _____
Date _____

II. SUBJECTS TO BE LISTED ON EMERGENCY SINGLE SUBJECT TEACHING PERMITS

Please identify the subjects of anticipated need with a check mark

- | | |
|--|--|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Health Science |
| <input type="checkbox"/> Art | <input type="checkbox"/> History |
| <input type="checkbox"/> Business | <input type="checkbox"/> Home Economics |
| <input type="checkbox"/> English | <input type="checkbox"/> Industrial & Technology Education |
| <input type="checkbox"/> Foreign Language | <input type="checkbox"/> Life Science |
| <input type="checkbox"/> French | <input type="checkbox"/> Math |
| <input type="checkbox"/> German | <input type="checkbox"/> Music |
| <input type="checkbox"/> Spanish | <input type="checkbox"/> Physical Education |
| <input type="checkbox"/> Other (Specify) _____ | <input type="checkbox"/> Physical Science |
| <input type="checkbox"/> Government | <input type="checkbox"/> Social Science |

III. TARGET LANGUAGE(S) TO BE LISTED ON BILINGUAL CROSSCULTURAL EMPHASIS PERMITS

Please list the languages of anticipated need under the appropriate category.

SINGLE SUBJECT	MULTIPLE SUBJECT
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.

IV. EFFORTS TO RECRUIT CERTIFICATED PERSONNEL

Please list the placement agencies that you have contacted and the most recent date of contact in the chart below. Include a brief description of additional efforts that the employing agency has undertaken to locate and recruit individuals who hold the needed credentials, such as dated copies of written announcements of the vacancy or vacancies which were mailed to college or university placement centers.

AGENCIES CONTACTED

	1	2	3
AGENCY NAME:			
DATE OF CONTACT:			

ADDITIONAL RECRUITMENT METHODS:

V. EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL

Have you considered developing a "Plan to Develop Fully Qualified Educators" in cooperation with other education agencies in the region pursuant to Section 80026.4?

Yes No

If no, please explain why.

Have you established one or more Commission-approved internship programs, including a District Intern program? Yes No

If yes, list each IHE that co-sponsors one of these programs. If no, please state reasons why internship programs have not been established.

State of California
COMMISSION ON TEACHER CREDENTIALING
Box 944270 (1812 9th Street)
Sacramento, CA 94244-2700
(916) 445-7254

DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

Name of District _____ CDS Code _____

Name of County _____ County Code _____

Name of State Agency _____

For Service for a School District: The governing board of the school district specified above adopted a declaration at a regularly scheduled public meeting held on ___/___/___ certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) listed on the attached form. Enclosed is a copy of the Board agenda item.

The declaration shall remain in force until June 30, _____. If the declaration will remain in force for longer than one year, the district must have an approved Plan to Develop Fully Qualified Educators on file with the Commission.

Submitted by:

Name _____

Title _____

Date _____

For Service for a County Office of Education or State Agency: The Superintendent of the County Office of Education or Director of the State Agency specified above adopted a declaration on ___/___/___, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) listed on the attached form. Enclosed is a copy of the announcement.

The declaration shall remain in force until June 30, _____. If the declaration will remain in force for longer than one year, the County or Agency must have an approved Plan to Develop Fully Qualified Educators on file with the Commission.

Superintendent or Director:

Signature _____

Name _____

Title _____

Date _____

MAIL TO THE COMMISSION AT THE BOX NUMBER LISTED ABOVE, ADDRESSED:
"HAND CARRY TO JULIE LEE"

Specialist Instruction in Special Education

Emergency Specialist Instruction Permits in Special Education authorize the holder to teach handicapped students in a special class as authorized by the subject listed on the document. The Permit may be issued in the following subjects: Learning Handicapped, Severely Handicapped, Physically Handicapped, Communication Handicapped, or Visually Handicapped.

- (1) The applicant must apply for entrance or be admitted to a Commission-approved program for the appropriate Special Education Specialist Instruction Credential or prerequisite teaching credential, or demonstrate intent to enroll within a reasonable period of time.
- (2) One of the following:
 - The applicant must possess a valid California teaching credential requiring a baccalaureate degree and a professional preparation program, including student teaching or
 - The applicant must possess or show eligibility for an out-of-state credential in Special Education requiring a baccalaureate degree, and have completed a program approved by the responsible state licensing agency at a regionally accredited institution.

Emergency Specialist Instruction Permits for teaching the Communication Handicapped and Visually Handicapped shall not be issued initially after July 1, 2000.

Clinical or Rehabilitative Services in Language, Speech and Hearing, Including the Special Class Authorization

The Emergency Clinical or Rehabilitative Services Permit with the Special Class Authorization authorizes the holder to teach handicapped children in a special class in which the primary disability is speech and language impaired.

- (1) The applicant must apply for entrance or be admitted to a Commission-approved program for the Clinical or Rehabilitative Services Credential in Language, Speech and Hearing, including the Special Class Authorization, or demonstrate intent to enroll within a reasonable period of time.
- (2) The applicant must verify either of the following:
 - possession of a valid Clinical or Rehabilitative Services Credential in Language, Speech and Hearing; or
 - possession of a baccalaureate degree from a regionally accredited college or university and successful completion of an organized program of at least two full years or 60 semester units, including a minimum of 75 hours of supervised clinical practice with school-age children, in a regionally accredited college or university, in the area of language, speech and hearing.

The Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, including the Special Class Authorization shall not be issued initially after July 1, 2000.

Clinical or Rehabilitative Services in Language, Speech and Hearing

The Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing authorizes the holder to provide clinical or rehabilitative services in the areas of language, speech, and hearing.

- (1) The applicant must apply for entrance or be admitted to a Commission-approved program for the Clinical or Rehabilitative Services Credential in Language, Speech and Hearing or demonstrate intent to enroll within a reasonable period of time.
- (2) The applicant must verify possession of a baccalaureate degree from a regionally accredited college or university and successful completion of an organized program of at least two full years or 60 semester units, including a minimum of 75 hours of supervised clinical practice with school-age children, in a regionally accredited college or university, in the area of language, speech and hearing.

The Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing shall not be issued initially after July 1, 2000.

Library Media Teacher Services

The Library Media Teacher Services Permit authorizes the holder to serve as a school or district librarian.

Persons holding a valid California Teaching Credential must verify all of the following:

- (1) possession of a valid California Teaching Credential based on a baccalaureate degree and a professional preparation program, including student teaching.
- (2) application for entrance or admission to a Commission-approved program for the Library Media Teacher Services Credential or demonstrate intent to enroll in such a program within a reasonable period of time.

Persons holding or eligible for a valid service credential from a state other than California must verify all of the following:

- (1) possession of, or eligibility for, an out-of-state credential or certificate authorizing service as a school librarian
- (2) application for entrance or admission to a Commission-approved program for the Library Media Teacher Services Credential or a prerequisite teaching credential or demonstrate intent to enroll in such a program within a reasonable period of time.

EMERGENCY PERMITS (Effective 7-1-94)

GENERAL REQUIREMENTS FOR ISSUANCE OF EMERGENCY PERMITS:

- (1) possession of a baccalaureate or higher degree from a regionally accredited college or university;
- (2) passage of the California Basic Educational Skills Test (CBEST), unless exempted by statutes or regulations;
- (3) completion of the requirements for the specific permit as described below;
- (4) submission of a complete application packet, including payment of the fee(s) and other documents required to verify completion of all requirements for the specific emergency permit; and,
- (5) if the applicant does not already have fingerprint clearance on file with the Commission, submission of two fingerprint cards, the Character and Identification Clearance Form (41-CIC), and the fingerprint card processing fee(s).
- (6) The employing agency must have on file with the Commission an annual Declaration of Need for Fully Qualified Educators.

ADDITIONAL INFORMATION:

- (1) The employing agency must provide orientation, guidance and assistance when an individual obtains any of the emergency teaching permit described in this leaflet for the first time. The employing agency may vary the nature, content and duration of the orientation to match the amount of training and experience previously completed by the emergency permit teacher. It shall include, but not be limited to, an overview of all of the following topics:
 - the curriculum that the emergency permit teacher is expected to teach;
 - effective techniques of classroom instruction at the emergency permit teacher's assigned level: preschool, elementary, middle, secondary, or adult education; and
 - effective techniques of classroom management at the emergency permit teacher's assigned level: elementary or secondary.To the extent reasonably feasible, the orientation to teaching shall occur before the emergency permit teacher begins his or her teaching assignment.
- (2) The employing agency will assign an experienced educator to guide and assist each holder of an emergency teaching permit described in this leaflet. The experienced educator shall be a certificated employee of the employing agency, or a certificated retiree of a California school district or county office of education; and have completed at least three years of full-time classroom teaching experience.
- (3) Emergency permits (except the 30-Day Substitute Permit) are valid as follows:
 - An emergency permit issued between July 1 and the following January 31 shall expire on June 30 following the date of issuance.
 - An emergency permit issued between February 1 and June 30 shall expire on January 31 following the date of issuance.
- (4) Teaching or service authorized by an emergency permit (except the 30-Day Substitute Permit) is restricted to schools operated by the employing agency that requested the permit.

REQUIREMENTS FOR RENEWAL OF EMERGENCY PERMITS:

- (1) submission of a complete application packet, including payment of the fee(s) and other documents required to verify completion of all requirements for the specific emergency permit;
- (2) verification by the employing agency that orientation, guidance and assistance have been provided; and
- (3) verification by the applicant of one of the following:
 - admission to and enrollment in a Commission-approved professional preparation program, and completion of at least six semester units (or the equivalent quarter units) of course work required for issuance of the related credential, or
 - for the first renewal only, completion of a minimum of ninety hours of professional development activities that are directly related to the subject or class authorized by the emergency permit if the applicant is employed by a employing agency with a Plan to Develop Fully Qualified Educators which has been approved by the Commission.
- (4) The employing agency must have on file with the Commission an annual Declaration of Need for Fully Qualified Educators.

(CONTINUED)

SPECIFIC REQUIREMENTS FOR INITIAL ISSUANCE:

Multiple or Single Subject Teaching

The Emergency Multiple Subject Teaching Permit authorizes the holder to teach multiple-subject-matter (self-contained) classes, such as those generally found in the elementary schools. The Emergency Single Subject Teaching Permit authorizes the holder to teach single-subject-matter (departmentalized) courses within the authorized field or fields named on the document, such as those generally found in the middle and high schools.

- (1) The applicant must apply for entrance or be admitted to a regionally accredited college or university with a Commission-approved program for the appropriate Multiple or Single Subject Teaching Credential, or demonstrate intent to enroll within a reasonable period of time.
- (2) The applicant must verify one of the following:
 - (a) possession of a valid California teaching credential that requires a baccalaureate degree and a professional preparation program including student teaching; or
 - (b) passage of the appropriate subject matter examination(s) approved by the Commission for the related credential; or
 - (c) successful completion of the specified number of semester units, or equivalent quarter units, of appropriate course work taken at a regionally accredited college or university as follows:
 - For the Emergency Multiple Subject Teaching Permit, at least 10 semester units of course work in each of at least four of the following subject areas or at least 10 semester units of course work in each of three subject areas and an additional 10 semester units in a combination of two of the remaining subject areas. The subject areas are as follows: language studies, history, literature, humanities, mathematics, the arts, science, physical education, social science, and human development; or
 - For the Emergency Single Subject Teaching Permit, at least 18 semester units, or nine upper division or graduate semester units of course work in the subject to be taught; or
 - (d) certification by the employing agency of all of the following:
 - the applicant has not had an opportunity to take the appropriate subject matter examination(s); and
 - the applicant will take the appropriate subject matter examination(s) at the next regularly scheduled administration; and
 - the employing agency will discontinue employment of the applicant eight weeks after the date on which the final examination(s) is administered if the applicant does not provide evidence of having passed the examination(s).

Multiple or Single Subject Teaching with Bilingual Emphasis

The Emergency Multiple Subject Teaching Permit authorizes the holder to teach multiple-subject-matter (self-contained) classes, such as those generally found in the elementary schools, to limited English proficient students in English or in the target language named on the document. The Emergency Single Subject Teaching Permit authorizes the holder to teach single-subject-matter (departmentalized) courses within the authorized field or fields named on the document, such as those generally found in the middle and high schools, to limited English proficient students in English or in the target language named on the document.

- (1) The applicant must apply for entrance or be admitted to a regionally accredited college or university with a Commission-approved program for the appropriate Multiple or Single Subject Teaching Credential with a Bilingual, Crosscultural, Language and Academic Development emphasis, or demonstrate intent to enroll within a reasonable period of time.
- (2) The applicant must verify one of the following:
 - passage in the target language of the oral language component of the Bilingual Certificate of Competence examination; or
 - passage in the target language of an assessment covering oral language proficiency administered by a California college or university with a Commission-approved bilingual emphasis program; or
 - passage in the target language of an assessment covering oral language proficiency by a panel consisting of three bilingual teachers certificated in the target language and appointed by the governing board of a local educational agency or county superintendent of schools.

(CONTINUED)

Commission on
Teacher Credentialing

State Board
of Education

State of California

State of California

April 11, 1994

To County and District Superintendents:

The Commission on Teacher Credentialing and the State Board of Education plan to cooperate with each other in strengthening the alignment between the elementary and secondary education of students and the preparation and certification of teachers. We look forward to achieving the greatest possible congruence between policies pertaining to the content and quality of a dynamic, responsive K-12 curriculum, and policies that foster the capacity of teachers to engage students in that curriculum.

The Commission and the Board realize that state education policies must be broad and flexible, and must enable teachers and local education authorities to make curriculum and instructional decisions that make sense in the context of their respective communities and schools. We understand that our authority to waive state education laws and regulations provides a substantial measure of the flexibility that must be available to local decision-makers in education.

The Commission and the Board will also cooperate in defining their respective areas of authority in reviewing and granting waivers of state education laws and regulations. The Commission will have exclusive authority to review and resolve requests to waive state laws and regulations pertaining to the credentials and qualifications of individual educators to perform services needed in local education agencies. The Board and the State Superintendent of Public Instruction will have exclusive authority to review and resolve requests to waive state laws and regulations pertaining to all other local education decisions.



Jeryl Harris, Chair
Commission on
Teacher Credentialing
State of California



Marion McDowell, President
State Board of Education
State of California

**Schedule of Commission on Teacher Credentialing Meetings
June-December 1994, With Cutoff Dates for the Submission
of a Waiver Request**

Commission Meeting Date	Waiver Request Cutoff Date
June 2-3 at the Hilton Hotel	May 13
July 14-15 at the Hilton Hotel	June 24
August 18-19 at the Clarion Hotel	July 29
October 6-7 at the Clarion Hotel	September 16
November 3-4 at the Clarion Hotel	October 14
December 1-2 at CSU, Hayward	November 10

Waiver requests will be reviewed by Commission staff when they arrive and any questions will be resolved, either by telephone or through the mail, before a request is scheduled for the Commission agenda. It is anticipated that the review of a completed waiver request will occur within eight weeks of the date the request is received. The Commission will consider waiver requests that are submitted following the scheduled cutoff date to address unanticipated, urgent situations.

All Commission meetings, except the December meeting, will be held in Sacramento.

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DIVISION VIII OF TITLE 5
CALIFORNIA CODE OF REGULATIONS

AMENDMENT OF SECTIONS 80024.1 THROUGH 80024.4 AND
80024.6, 80025, 80026, 80027, AND 80430 AND ADDITION OF
SECTIONS 80023 THROUGH 80023.2, 80026.1, 80026.4 THROUGH
80026.6, AND 80120 THROUGH 80124, PERTAINING TO EMERGENCY
PERMITS AND WAIVERS

Article 2. Credential Types, Authorizations and Requirements

80023. Types of Emergency Permits.

The following types of emergency permits are governed by the provisions of Sections 80023.1 through 80026.6, except 80025.

- (a) Emergency Multiple Subject Teaching Permit.
- (b) Emergency Multiple Subject Teaching Permit with a Bilingual Crosscultural Emphasis.
- (c) Emergency Single Subject Teaching Permit with an authorization to teach one or more of the subjects identified in Education Code Section 44282.
- (d) Emergency Single Subject Teaching Permit with a Bilingual Crosscultural Emphasis with an authority to teach one or more subjects identified in Education Code Section 44282.
- (e) Emergency Specialist Instruction Permit for Teaching the Learning Handicapped.
- (f) Emergency Specialist Instruction Permit for Teaching the Severely Handicapped.
- (g) Emergency Specialist Instruction Permit for Teaching the Physically Handicapped.
- (h) Emergency Specialist Instruction Permit for Teaching the Communication Handicapped.
- (i) Emergency Specialist Instruction Permit for Teaching the Visually Handicapped.
- (j) Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, including the Special Class Authorization.
- (k) Emergency Library Media Teacher Services Permit.

NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), and 44300 Education Code.

1 **80023.1. General Provisions Governing Emergency Permits.**

2 The provisions of this section shall apply to all emergency permits specified
3 in Section 80023.

4 (a) Terms that are used in Sections 80023 through 80027, inclusive, are
5 defined as follows:

6 (1) The terms "employing agency" and "local education agency" mean
7 the school district, county office of education, or school operating
8 under the direction of a California state agency, which submits an
9 emergency permit application to the Commission in order to
10 employ the applicant.

11 (2) "Applicant" is the individual for whom an emergency permit
12 application is submitted.

13 (3) "Regionally accredited college or university" means an institution
14 of postsecondary education accredited by a regional accrediting
15 body recognized by the Council on Postsecondary Accreditation
16 and the United States Department of Education. In California the
17 regional accrediting body is the Western Association of Schools
18 and Colleges (WASC).

19 (4) "Related credential" refers to the credential that provides the
20 same authorization as a particular emergency permit.

21 (b) The following entities may submit emergency permit applications. Each
22 application shall be submitted to the Commission on behalf of the
23 applicant.

24 (1) Public school districts in California.

25 (2) County offices of education or county superintendents of schools
26 in California.

27 (3) Schools that operate under the direction of a California state
28 agency, including publicly-subsidized private schools.

29 (c) Emergency permits are valid for the length of time specified as follows:

30 (1) An emergency permit issued between July 1 and the following
31 January 31 shall expire on June 30 following the date of issuance.

32 (2) An emergency permit issued between February 1 and June 30
33 shall expire on January 31 following the date of issuance.

34 (d) Teaching or service authorized by an emergency permit shall be
35 restricted to schools operated by the employing agency that requested
36 the permit.

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38 NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225,
39 subdivisions (d) and (g), and 44300 Education Code.

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80023.2. General Requirements for the Initial Issuance of Emergency Permits.

The following requirements apply to the initial issuance of all emergency permits specified in Section 80023.

- (a) The applicant must possess a baccalaureate or higher degree from a regionally accredited college or university.
- (b) The applicant must verify passage of the California Basic Educational Skills Test (CBEST), unless exempt by statutes or regulations.
- (c) The applicant must satisfy the requirements for the permit being requested as specified in Sections 80024.1 through 80024.6.
- (d) The employing agency must submit a Declaration of Need for Fully Qualified Educators that satisfies the provisions of Section 80026.
- (e) If the applicant does not already have fingerprint clearance on file with the Commission, the permit application must include two fingerprint cards and the completed Application for Character and Identification Clearance (form 41-CIC, rev 11-93), and fee(s). No permit will be issued until the clearance process is completed.
- (f) Issuance of an emergency permit also requires the submission of a complete application packet, including a completed Application for Credential Authorizing Public School Service (form 41-4, rev 4-94), payment of the fee(s) required by Section 80487, and other documents required by the Commission to verify completion of all requirements for the emergency permit.

NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), and 44300 Education Code.

80024.1. Emergency Multiple or Single Subject Teaching Permits.

(a) Requirements for the initial issuance of an Emergency Multiple or Single Subject Teaching Permit include all of the following:

- (1) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.
- (2) The applicant must apply for entrance or be admitted to a regionally accredited college or university with a Commission-approved program for the related credential, or demonstrate intent to enroll within a reasonable period of time.
- (3) The applicant must verify one of the following:
 - (A) Possession of a valid California teaching credential that requires a baccalaureate degree and a professional preparation program including student teaching; or
 - (B) Passage of the appropriate subject matter examination(s) approved by the Commission for the related credential; or

1 (C) Successful completion of the specified number of semester
2 units, or equivalent quarter units, of appropriate course
3 work taken at a regionally accredited college or university
4 as follows:

- 5 1. For the Emergency Single Subject Teaching Permit, at
6 least 18 semester units, or nine upper division or
7 graduate semester units of course work in the subject
8 to be taught; or
- 9 2. For the Emergency Multiple Subject Teaching Permit,
10 at least 10 semester units of course work in each of at
11 least four of the following subject areas or at least 10
12 semester units of course work in each of three subject
13 areas and an additional 10 semester units in a
14 combination of two of the remaining subject areas.
15 The subject areas are as follows: language studies,
16 history, literature, humanities, mathematics, the arts,
17 science, physical education, social science, and human
18 development; or

19 (D) Certification by the employing agency of all of the following:

- 20 1. the applicant has not had an opportunity to take the
21 appropriate subject matter examination(s); and
- 22 2. the applicant will take the appropriate subject matter
23 examination(s) at the next regularly scheduled
24 administration, and
- 25 3. the employing agency will discontinue employment of
26 the applicant eight weeks after the date on which the
27 final examination(s) is administered if the applicant
28 does not provide evidence of having passed the
29 examination(s).

30 (b) To renew an Emergency Multiple or Single Subject Teaching Permit, the
31 applicant and the employing agency must meet the requirements for
32 renewal of emergency permits specified in Section 80026.6.

33
34 (c) Authorization:

- 35 (1) An Emergency Multiple Subject Teaching Permit authorizes the
36 same service as a Multiple Subject Teaching Credential.
- 37 (2) An Emergency Single Subject Teaching Permit authorizes the same
38 service as a Single Subject Teaching Credential in the authorized
39 field(s) listed on the permit.

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41 NOTE: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225,
42 subdivisions (d) and (g), 44300, and 44301 Education Code.

1 **80024.2. Emergency Multiple or Single Subject Teaching Permit**
2 **with a Bilingual Emphasis.**

3 (a) Requirements for the initial issuance of an Emergency Multiple or Single
4 Subject Teaching Permit with a Bilingual Emphasis include all of the
5 following:

6 (1) The applicant and the employing agency must meet the general
7 requirements specified in Section 80023.2.

8 (2) The applicant must verify one of the following:

9 (A) Passage in the target language of the oral language
10 component of the Bilingual Certificate of Competence
11 examination,

12 (B) Passage in the target language of an assessment covering
13 oral language proficiency administered by a California
14 college or university with a Commission-approved bilingual
15 emphasis program, or

16 (C) Passage in the target language of an assessment covering
17 oral language proficiency by a panel consisting of three
18 bilingual teachers certificated in the target language and
19 appointed by the governing board of a local educational
20 agency or county superintendent of schools.

21 (3) The applicant must apply for entrance or be admitted to a
22 regionally accredited college or university with a
23 Commission-approved program for the related credential, or
24 demonstrate intent to enroll within a reasonable period of time.

25 (b) To renew an Emergency Multiple or Single Subject Teaching Permit with
26 a Bilingual Emphasis, the applicant and the employing agency must
27 meet the requirements for renewal of emergency permits specified in
28 Section 80026.6.

29 (c) Authorization.

30 (1) An Emergency Multiple Subject Teaching Permit with a Bilingual
31 Emphasis authorizes the same service as a Multiple Subject
32 Teaching Credential with a Bilingual Emphasis in the target
33 language(s) listed on the permit.

34 (2) An Emergency Single Subject Teaching Permit with a Bilingual
35 Emphasis authorizes the same service as a Single Subject Teaching
36 Credential with a Bilingual Emphasis in the target language(s) and
37 authorized field(s) listed on the permit.

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39 NOTE: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225,
40 subdivisions (d) and (g), and 44300 Education Code.

1 **80024.3 Emergency Specialist Instruction Permits for Teaching**
2 **the Learning Handicapped, the Severely Handicapped, the**
3 **Physically Handicapped, the Communication Handicapped, or the**
4 **Visually Handicapped.**

5 (a) Requirements for the initial issuance of an Emergency Specialist
6 Instruction Permit for Teaching the Learning Handicapped, the Severely
7 Handicapped, the Physically Handicapped, the Communication
8 Handicapped, or the Visually Handicapped include all of the following:

9 (1) The applicant and the employing agency must meet the general
10 requirements specified in Section 80023.2.

11 (2) Either (A) or (B) below:

12 (A) The applicant must possess a valid California teaching
13 credential requiring a baccalaureate degree and a
14 professional preparation program, including student
15 teaching, or

16 (B) The applicant must possess or show eligibility for an out-of-
17 state credential in Special Education requiring a
18 baccalaureate degree, and have completed a program
19 approved by the responsible state licensing agency at a
20 regionally accredited institution.

21 (3) The applicant must apply for entrance or be admitted to a
22 Commission-approved program for the appropriate Special
23 Education Specialist Instruction or basic teaching credential(s), or
24 demonstrate intent to enroll within a reasonable period of time.

25 (4) Emergency Specialist Instruction Permits for teaching the
26 Communication Handicapped and Visually Handicapped shall not
27 be issued initially after July 1, 2000.

28 (b) To renew an Emergency Specialist Instruction Permit for Teaching the
29 Learning Handicapped, the Severely Handicapped, the Physically
30 Handicapped, the Communication Handicapped, or the Visually
31 Handicapped, the applicant and the employing agency must meet the
32 requirements for renewal of emergency permits specified in Section
33 80026.6.

34 (c) Authorization: An Emergency Specialist Instruction Permit authorizes
35 the same service as the Specialist Instruction Credential in the
36 authorized field(s) listed on the permit.

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38 NOTE: Authority cited: Section 44225(q), Education Code. Reference:
39 Sections 44225, subdivisions (d) and (g), and 44300 Education Code.
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1 **80024.4. Emergency Clinical or Rehabilitative Services**
2 **Permit in Language, Speech and Hearing, including the**
3 **Special Class Authorization.**

4 (a) Requirements for the initial issuance of an Emergency Clinical or
5 Rehabilitative Services Permit in Language, Speech and Hearing,
6 including the Special Class Authorization include all of the
7 following:

8 (1) The applicant and the employing agency must meet the
9 general requirements as stated in Section 80023.2.

10 (2) The applicant must verify either of the following:

11 (A) Possession of a valid Clinical or Rehabilitative Services
12 Credential in Language, Speech and Hearing; or

13 (B) Possession of a baccalaureate degree from a regionally
14 accredited college or university and successful
15 completion of an organized program of at least two full
16 years or 60 semester units, including a minimum of 75
17 hours of supervised clinical practice with school-age
18 children, in a regionally accredited college or
19 university, in the area of language, speech and
20 hearing.

21 (3) The applicant must apply for entrance or be admitted to a
22 Commission-approved program for the Clinical or
23 Rehabilitative Services Credential in Language, Speech and
24 Hearing, including the Special Class Authorization, or
25 demonstrate intent to enroll within a reasonable period of
26 time.

27 (4) The Emergency Clinical or Rehabilitative Services Permit in
28 Language, Speech and Hearing, including the Special Class
29 Authorization shall not be issued initially after July 1, 2000.

30 (b) To renew an Emergency Clinical or Rehabilitative Services Permit
31 in Language, Speech and Hearing, including the Special Class
32 Authorization, the applicant and the employing agency must meet
33 the requirements for renewal of emergency permits specified in
34 Section 80026.6.

35 (c) Authorization. An Emergency Clinical or Rehabilitative Services
36 Permit in Language, Speech and Hearing, including the Special
37 Class Authorization, authorizes the same service as a Clinical or
38 Rehabilitative Services Credential in Language, Speech and
39 Hearing, including the Special Class Authorization.

40
41 NOTE: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225
42 subdivisions (d) and (g), 44268 and 44300 Education Code.

1 **80024.5. Emergency Clinical or Rehabilitative Services**
2 **Permit in Language, Speech and Hearing.**

3 (a) Requirements for the initial issuance of an Emergency Clinical or
4 Rehabilitative Services Permit in Language, Speech and Hearing
5 include all of the following:

6 (1) The applicant and the employing agency must meet the
7 general requirements as stated in Section 80023.2.

8 (2) The applicant must verify possession of a baccalaureate
9 degree from a regionally accredited college or university
10 and successful completion of an organized program of at
11 least two full years or 60 semester units, including a
12 minimum of 75 hours of supervised clinical practice with
13 school-age children, in a regionally accredited college or
14 university, in the area of language, speech and hearing.

15 (3) The applicant must apply for entrance or be admitted to a
16 Commission-approved program for the Clinical or
17 Rehabilitative Services Credential in Language, Speech and
18 Hearing or demonstrate intent to enroll within a reasonable
19 period of time.

20 (4) The Emergency Clinical or Rehabilitative Services Permit in
21 Language, Speech and Hearing shall not be issued initially
22 after July 1, 2000.

23 (b) To renew an Emergency Clinical or Rehabilitative Services Permit
24 in Language, Speech and Hearing, the applicant and the employing
25 agency must meet the requirements for renewal of emergency
26 permits specified in Section 80026.5.

27 (c) Authorization. An Emergency Clinical or Rehabilitative Services
28 Permit in Language, Speech and Hearing authorizes the same
29 service as a Clinical or Rehabilitative Services Credential in
30 Language, Speech and Hearing.

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32 NOTE: Authority cited: Section 44225(q), Education Code. Reference: Sections
33 44225 subdivisions (d) and (g), 44268 and 44300 Education Code.

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36 **80024.6 Emergency Library Media Teacher Services Permit.**

37 (a) Requirements for the initial issuance of the Emergency Library Media
38 Teacher Services Permit are as follows:

39 (1) Persons holding a valid California Teaching Credential must verify
40 all of the following:

41 (A) The applicant and the employing agency must meet the
42 general requirements specified in Section 80023.2.

43 (B) The applicant must possess a valid California Teaching
44 Credential based on a baccalaureate degree and a

1 professional preparation program, including student
2 teaching.

3 (C) The applicant must apply for entrance or be admitted to a
4 Commission-approved program for the Library Media
5 Teacher Services Credential or demonstrate intent to enroll
6 in such a program within a reasonable period of time.

7 (2) Persons holding or eligible for a valid service credential from a
8 state other than California must verify all of the following:

9 (A) The applicant and the employing agency must meet the
10 general requirements specified in Section 80023.2.

11 (B) The applicant must verify possession of or eligibility for an
12 out-of-state credential or certificate authorizing service as a
13 school librarian.

14 (C) The applicant must apply for entrance or be admitted to a
15 Commission-approved program for the Library Media
16 Teacher Services Credential or prerequisite teaching
17 credential or demonstrate intent to enroll in such a program
18 within a reasonable period of time.

19 (b) To renew an Emergency Library Media Teacher Services Permit, the
20 applicant and the employing agency must meet the requirements for
21 renewal of emergency permits specified in Section 80026.6.

22 (c) Authorization. An Emergency Library Media Teacher Services Permit
23 authorizes the same service as a Library Media Teacher Services
24 Credential.

25
26 Note: Authority cited: Section 44225 subsections (b) and (q), Education Code.
27 Reference: Sections 44225, subdivisions (d) and (g), and 44300 Education Code.
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30 **80025. Emergency 30-Day Substitute Teaching Permit.**

31 (a) Requirements for the issuance and reissuance of an Emergency 30-Day
32 Substitute Teaching Permit include all of the following:

33 (1) Possession of a baccalaureate or higher degree from a regionally
34 accredited college or university;

35 (2) Passage of the California Basic Educational Skills Test (CBEST);

36 (3) Submission to the Commission on Teacher Credentialing of a
37 completed Application for Credential Authorizing Public School
38 Service (form 41-4, rev 4-94); the fee(s) as specified in Section
39 80487; and, unless clearance is already on file with the
40 Commission, personal identification on duplicate fingerprint cards
41 and the completed Application for Character and Identification
42 Clearance(form 41-CIC, rev 11-93).

43 (b) Authorization: The Emergency 30-Day Substitute Teaching Permit
44 authorizes the holder to serve as a substitute in any classroom:
45 preschool, kindergarten and grades 1-12, inclusive; or in classes

1 organized primarily for adults within each county in which the permit is
2 registered provided the employing agency has a completed Statement of
3 Need on file for the school year. However, the holder shall not serve as
4 a substitute for more than 30 days for any one teacher during the
5 school year.

6 (c) The Statement of Need for 30-day Substitute Teachers must:

7 (1) describe the situation or circumstances that necessitate the use of
8 an emergency permit holder, and

9 (2) state that either a credentialed person is not available, or that one
10 or more credentialed persons are available, but do not meet the
11 specified employment criteria established by the employing
12 agency, and

13 (3) be prepared and signed by, as applicable, the superintendent of
14 the employing school district, the superintendent of the employing
15 county if the service will be rendered in county operated schools,
16 or the head of the state agency under which the employing school
17 operates.

18 (d) An Emergency 30-Day Substitute Teaching Permit is valid for no less
19 than one year and expires one calendar year from the first day of the
20 month immediately following the date of issuance.

21
22 Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(e),
23 44252(a), 44252(b), 44300, 44332.5(b), 44339, 44340, and 44341, Education Code.

24 25 26 **80026. Declaration of Need for Fully Qualified Educators.**

27 Submission of a Declaration of Need for Fully Qualified Educators by the
28 employing agency shall be a prerequisite to the issuance of any emergency
29 permit for that agency. The Declaration of Need for Fully Qualified
30 Educators by an employing agency shall be valid for no more than twelve
31 months, and shall expire on the June 30 following its submission to the
32 Commission, unless the employing agency has an approved Plan to Develop
33 Fully Qualified Educators which specifies a period of validity longer than
34 twelve months. The Declaration of Need for Fully Qualified Educators shall
35 be submitted to the Commission on a form to be provided by the
36 Commission, and shall include all of the following information:

37 (a) Title(s) of Emergency Permit(s) that the Employing Agency Anticipates
38 Will Be Requested. This shall include each subject to be listed on
39 Emergency Single Subject Teaching Permits and the target language on
40 an Emergency Multiple Subject or Single Subject Teaching Permit with a
41 Bilingual Crosscultural Emphasis. The Declaration of Need for Fully
42 Qualified Educators may be revised by the employing agency, as
43 needed.

44 (b) Efforts to Recruit Certificated Personnel. This shall include a brief
45 description of efforts that the employing agency has undertaken to

1 locate and recruit individuals who hold the needed credentials, such as
2 dated copies of written announcements of its vacancy or vacancies
3 which were mailed to college or university placement centers.

4 (c) Efforts by the Employing Agency to Certify, Assign and Develop Fully
5 Qualified Personnel. The Declaration shall:

6 (1) identify the names of institutions of higher education
7 co-sponsoring internships or other certification programs with the
8 employing agency or, if no such programs exist, briefly explain
9 why; and

10 (2) indicate whether the employing agency has considered developing
11 a "Plan to Develop Fully Qualified Educators" in cooperation with
12 other education agencies in the region pursuant to Section
13 80026.4, or if not, briefly explain why.

14 (d) Stipulation of Insufficiency of Suitable Applicants. The employing
15 agency shall certify that there is an insufficient number of certificated
16 persons who meet the employing agency's specified employment
17 criteria to fill necessary positions.

18 (e) Adoption of the Declaration. The Declaration of Need for Fully Qualified
19 Educators shall be adopted by the governing board of a school district,
20 or by the superintendent of a county office of education or the
21 administrator of a state school.

22 (1) A Declaration of Need for Fully Qualified Educators by a school
23 district shall be adopted by the governing board in a regularly-
24 scheduled, public meeting of the board. The entire Declaration of
25 Need for Fully Qualified Educators shall be included in the board
26 agenda, and shall not be adopted by the board as part of a consent
27 calendar.

28 (2) A superintendent of a county office or state school shall publicly
29 announce his or her intent to adopt a Declaration of Need for Fully
30 Qualified Educators at least 72 hours prior to adopting the
31 Statement. The adopted Statement shall be signed by the
32 superintendent.

33
34 NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225,
35 subdivisions (d) and (g), and 44300 Education Code.

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38 **80026.1. Information to Applicants.**

39 The local education agency shall inform each applicant for an emergency
40 permit specified in Section 80023 of all of the following:

41 (a) that the employing agency will provide the orientation, guidance and
42 assistance required by Section 80026.5,

43 (b) the name, or if providing the name is not feasible, the position, of the
44 individual responsible for providing the guidance and assistance
45 required by Section 80026.5;

1 (c) that, in order to renew an emergency permit, the applicant must be
2 admitted to a Commission-approved professional preparation program,
3 and must complete a minimum of six semester units, or nine quarter
4 units, of course work for the related credential or, for the first renewal,
5 be participating in a professional development program, and complete
6 the equivalent as described in the employing agency's "Plan to Develop
7 Fully Qualified Educators."
8

9 NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225,
10 subdivisions (d) and (g), and 44300 Education Code.
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13 **80026.4 Plan to Develop Fully Qualified Educators.**

14 (a) Any employing agency may submit a Plan to Develop Fully Qualified
15 Educators to the Commission for approval. Such a Plan shall be
16 developed by the employing agency, in collaboration with a county
17 office of education, regionally accredited college or university, Special
18 Education Local Plan Area, or other public education entity in the region
19 of the employing agency, as appropriate. The Plan shall describe efforts
20 by the employing agency to:

21 (1) recommend to the Commission the certification of personnel who,
22 by virtue of education, training or experience, have been judged
23 by certificated educators from the employing agency as competent
24 to serve in an assignment, but are not yet certified to do so;

25 (2) support and assist persons who have training and experience in
26 teaching, but neither training nor experience in the area to which
27 they will be assigned; and

28 (3) provide development activities for persons who have neither
29 training nor experience in teaching, for example, through
30 university or district internships, technologically based learning,
31 or intensive professional development programs.

32 (b) Any Plan To Develop Fully Qualified Educators may propose alternatives
33 to enrollment in a Commission-approved preparation program for the
34 first year of development of persons granted an emergency permit for
35 the first time. Such alternatives shall be designed to provide ninety
36 clock hours of professional development and to be equivalent to at least
37 6 units of course work offered to first-year emergency permit holders
38 by a college or university with an preparation program approved by the
39 Commission. Any such proposed alternatives shall include information
40 on how the performance of applicants for the renewal of an emergency
41 permit shall be evaluated.

42 (c) Any Plan To Develop Fully Qualified Educators may propose ways for
43 the employing agency to streamline or decentralize existing procedures
44 for the issuance or renewal of any or all of the emergency permits listed
45 in Section 80023 to allow the employing agency to devote more

1 personnel or fiscal resources to supporting, assisting and developing
2 fully qualified educators, and fewer resources to paperwork or other
3 tasks associated with applying for emergency permits.

4
5 NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225,
6 subdivisions (d) and (g), and 44300 Education Code.

7
8
9 **80026.5 Orientation, Guidance and Assistance.**

10 (a) Orientation, Guidance and Assistance to Holders of the Emergency
11 Teaching Permit. The employing agency shall provide an orientation to
12 teaching for the holders of the emergency teaching permits specified in
13 Section 80023. Each recipient of an emergency teaching permit that is
14 issued after January 31, 1994 shall attend an orientation when he or
15 she obtains an emergency teaching permit for the first time. The
16 employing agency may vary the nature, content and duration of the
17 orientation to match the amount of training and experience previously
18 completed by emergency permit teachers.

19 (1) The orientation to teaching shall include, but not be limited to, an
20 overview of all of the following topics:

21 (A) the curriculum that the emergency permit teacher is
22 expected to teach;

23 (B) effective techniques of classroom instruction at the
24 emergency permit teacher's assigned level: preschool,
25 elementary, middle, secondary, or adult education; and

26 (C) effective techniques of classroom management at the
27 emergency permit teacher's assigned level: elementary or
28 secondary.

29 (2) To the extent reasonably feasible, the orientation to teaching shall
30 occur before the emergency permit teacher begins his or her
31 teaching assignment.

32 (b) Commencing July 1, 1994, the employing agency shall assign an
33 experienced educator to guide and assist each holder of an emergency
34 teaching permit specified in Section 80023. The experienced educator
35 shall:

36 (1) be a certificated employee of the employing agency, or a
37 certificated retiree of a California school district or county office of
38 education; and

39 (2) have completed at least three years of full-time classroom
40 teaching experience.

41
42 NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225,
43 subdivisions (d) and (g), and 44300 Education Code.

80026.6 Requirements for the Renewal of Emergency Permits.

(a) The renewal requirements for an emergency permit identified in Section 80023, shall include all of the following:

- (1) A completed Application for Credential Authorizing Public School Service (form 41-4, rev 4-94).
- (2) Payment of the fee(s) required by Section 80487.
- (3) Prior submission of a Declaration of Need for Fully Qualified Educators that satisfies the provisions of Section 80026.
- (4) Verification that orientation, guidance and assistance have been provided as required in Section 80026.5.
- (5) The following:
 - (A) admission to and enrollment in a Commission-approved professional preparation program, and completion of at least six semester units (or the equivalent quarter units) of coursework required for issuance of the related credential; or
 - (B) for the first renewal only, completion of a minimum of ninety hours of professional development activities that are directly related to the subject or class authorized by the emergency permit if the applicant is employed by a employing agency with a Plan to Develop Fully Qualified Educators which has been approved by the Commission.

NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), and 44300 Education Code.

80027. Limited Assignment Emergency Multiple or Single Subject Teaching Permit.

(a) Requirements for the initial issuance of a Limited Assignment Emergency Multiple or Single Subject Teaching Permit include all of the following:

- (1) Applicant is currently employed by the local governing board requesting such assignment.
- (2) Applicant holds a valid California teaching credential based on a baccalaureate degree and a professional preparation program, including student teaching.
- (3) The application is accompanied by the appropriate Commission-approved form signed by the applicant and an appropriate employing agency official verifying consent of both parties; describing briefly the whole assignment which the emergency permit holder would teach; explaining the situation or circumstances that necessitate the use of an emergency permit holder; stating that either a credentialed person is not available, or that one or more credentialed persons are available, but do not

1 meet the specified employment criteria established for that
2 position by the employing agency; and verifying prior approval of
3 the assignment by the local governing board.

4 (4) The applicant submits a completed Application for Credential
5 Authorizing Public School Service (form 41-4, rev 4-94) and the
6 fee(s) as specified in Section 80487.

7 (b) Requirements for the renewal of a Limited Assignment Emergency
8 Multiple or Single Subject Teaching Permit.

9 (1) Applicant is currently employed by the local governing board
10 requesting such assignment.

11 (2) Applicant holds a valid California teaching credential based on a
12 baccalaureate degree and a professional preparation program,
13 including student teaching.

14 (3) An application for the renewal of a Limited Assignment
15 Emergency Multiple or Single Subject Teaching Permit shall be
16 submitted to the Commission by the employing agency, and shall
17 include all of the following.

18 (A) A completed Application for Credential Authorizing Public
19 School Service (form 41-4, rev 4-94).

20 (B) Payment of the fee(s) required by Section 80487.

21 (C) Verification of the completion of at least six semester units,
22 or the equivalent quarter units, of course work required for
issuance of the related credential.

24 (4) Validation of Professional Development Statement. The holder of a
25 Limited Assignment Emergency Multiple or Single Subject
26 Teaching Permit who has previously taught three or more years
27 on a credential other than an emergency credential or permit may
28 submit the following in lieu of the required 6 semester units:

29 (A) Verification that he or she has completed ninety hours of
30 professional development activities that are directly related
31 to the subject or class authorized by the Limited Assignment
32 Emergency Multiple or Single Subject Teaching Permit; and

33 (B) Submission of a Validation of Professional Development
34 Statement, signed by the employing agency and the permit
35 holder, that includes a brief description of the content of the
36 teacher's professional development program, a brief
37 description of the means by which the employing agency
38 validated the quality and appropriateness of the teacher's
39 professional development program, and a brief description
40 of the manner in which the results of the teacher's
41 professional development program were evaluated.

42 (c) Authorization: The Limited Assignment Emergency Multiple or Single
Subject Teaching Permit authorizes the holder to teach in the
44 assignment described in the statement signed by the teacher and the

1 appropriate employing agency official, and approved by the local
2 governing board as required by Section 80027 (a)(3).

3 (d) The Limited Assignment Emergency Multiple or Single Subject Teaching
4 Permit shall be valid for the length of time specified in Section
5 80023.1(c).

6
7 NOTE: Authority Cited: Sections 44225(q), Education Code. Reference: Sections 44225,
8 subdivisions (d) and (g), and 44300 Education Code.

9
10
11 **80430. Direct Application: When Permitted.**

12 (a) An applicant who can demonstrate the completion of preparation
13 equivalent to that required by California statutes and regulations may
14 submit an application to the Commission for a credential based upon
15 equivalent preparation. The application shall include the following:

- 16 (1) the titles of credentials held by the applicant.
- 17 (2) a description and evidence of the education and specialized
18 training of the applicant.
- 19 (3) if the applicant pursued part or all of his or her professional
20 preparation program at a college or university with a Commission
21 approved program, written explanation of refusal to recommend,
22 by the institution of higher education, including a statement that
23 the applicant has exhausted all appeals through that institution.
- 24 (4) a description of the relevant experience of the applicant.
- 25 (5) any assessment of the applicant's performance deemed useful to
26 review of the application, excluding standardized examinations for
27 which California has not established passing standards.
- 28 (6) other evidence of education, training or performance deemed by
29 the applicant to be useful in reviewing the application.
- 30 (7) a completed Application for Credential Authorizing Public School
31 Service (form 41-4, rev 4-94) and the fee(s) as specified in
32 Section 80487.

33 (b) The Commission shall evaluate the materials submitted, consider the
34 reasons for refusal, when applicable, by a college or university and
35 determine whether to issue the credential sought.

36
37 NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225,
38 subdivisions (d) and (g), and 44300 Education Code.

39
40
41 **80120. Categories of Waivers.**

42 The following categories of waivers will be considered under the provisions
43 of Education Code Section 44225 (m):

44 (a) Short-Term Waivers: Waivers to give local agencies one semester or
45 less to address unanticipated, immediate, short-term organizational

1 needs by assigning teachers who hold a basic credential to teach outside
2 of their credential authorization, with the teacher's consent.

3 (b) Variable Term Waivers:

- 4 (1) Waivers to facilitate education reform or restructuring;
- 5 (2) Waivers to provide educators with additional time to complete a
6 requirement;
- 7 (3) Waivers to temporarily exempt geographically isolated regions,
8 which have severely limited ability to develop personnel, from
9 specific state requirements for educator preparation, licensing or
10 assignment; or
- 11 (4) Other temporary waivers granted at the discretion of the
12 Commission.

13
14 NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Section 44225.
15 subdivisions (g) and (m), Education Code.

16
17
18 **80121. General Provisions Governing Waivers.**

19 (a) Definition of Terms. Terms that are used in Sections 80120 through
20 80124, inclusive, shall have the following meanings.

- 21 (1) The term "employing agency" means the school district, county
22 office of education, private school or postsecondary institution
23 that submits a waiver application.
- 24 (2) "Applicant" means the individual for whom a waiver application is
25 submitted.
- 26 (3) "SELPA" means a Special Education Local Plan Area.
- 27 (4) A "short-term waiver" is a waiver with a term of one semester or
28 less as described under Section 80120(a).
- 29 (5) A "variable term waiver" is a waiver with a term of one year or
30 longer as specified by the Commission.

31 (b) Waiver Service Restrictions. Except as specified by the Commission,
32 service authorized by a waiver shall be restricted to the employing
33 agency that submitted the waiver application and the assignment
34 specified on the waiver document.

35 (c) Authorization to Apply for Waivers. Each application for a variable
36 term waiver shall be submitted to the Commission on behalf of the
37 individual or individuals identified in the application. The following
38 may submit applications for variable term waivers:

- 39 (1) public school districts in California;
- 40 (2) county offices of education or county superintendents of schools in
41 California;
- 42 (3) postsecondary institutions;
- 43 (4) private schools in California; and
- 44 (5) individuals.

1 needs by assigning teachers who hold a basic credential to teach outside
2 of their credential authorization, with the teacher's consent.

3 (b) Variable Term Waivers:

- 4 (1) Waivers to facilitate education reform or restructuring;
5 (2) Waivers to provide educators with additional time to complete a
6 requirement;
7 (3) Waivers to temporarily exempt geographically isolated regions,
8 which have severely limited ability to develop personnel, from
9 specific state requirements for educator preparation, licensing or
10 assignment; or
11 (4) Other temporary waivers granted at the discretion of the
12 Commission.

13
14 NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Section 44225.
15 subdivisions (g) and (m), Education Code.
16
17

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19 (a) Definition of Terms. Terms that are used in Sections 80120 through
20 80124, inclusive, shall have the following meanings.

- 21 (1) The term "employing agency" means the school district, county
22 office of education, private school or postsecondary institution
23 that submits a waiver application.
24 (2) "Applicant" means the individual for whom a waiver application is
25 submitted.
26 (3) "SELPA" means a Special Education Local Plan Area.
27 (4) A "short-term waiver" is a waiver with a term of one semester or
28 less as described under Section 80120(a).
29 (5) A "variable term waiver" is a waiver with a term of one year or
30 longer as specified by the Commission.

31 (b) Waiver Service Restrictions. Except as specified by the Commission,
32 service authorized by a waiver shall be restricted to the employing
33 agency that submitted the waiver application and the assignment
34 specified on the waiver document.

35 (c) Authorization to Apply for Waivers. Each application for a variable
36 term waiver shall be submitted to the Commission on behalf of the
37 individual or individuals identified in the application. The following
38 may submit applications for variable term waivers:

- 39 (1) public school districts in California;
40 (2) county offices of education or county superintendents of schools in
41 California;
42 (3) postsecondary institutions;
43 (4) private schools in California; and
44 (5) individuals.

1 NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Section 44225.
2 subdivisions (g) and (m), Education Code.
3
4

5 **80122. General Requirements for the Granting of Waivers.**

6 The following requirements apply to all waivers. The application for
7 waivers shall include all of the following:

- 8 (a) Name of Employing Agency. The application shall identify the
9 employing agency seeking a waiver.
- 10 (b) Section Number. The application shall cite the specific Education Code
11 or Title 5 section number(s) for which a waiver is being requested. In
12 the case of waivers for the purpose of reform or restructuring, the
13 application may instead identify the plan under which the reform or
14 restructuring will take place and, if applicable, the date when the plan
15 was approved by the employing agency or the appropriate state agency,
16 whichever came later.
- 17 (c) Purpose of the Waiver. The application shall summarize the purpose of
18 the waiver request, including the language in the Education Code
19 Section, or the provisions of Title 5, California Code of Regulations, for
20 which the waiver is being requested.
- 21 (d) Proposed Solution and Justification. The application shall describe how
22 the waiver request will remedy the situation, give the rationale for the
23 request, and describe any negative effect(s) that are likely to occur if
24 the request is not granted.
- 25 (e) Identification of Applicant or Applicants. The application shall identify,
26 by name, date of birth and Social Security number, the applicant or
27 applicants for whom the waiver is intended.
- 28 (f) If the applicant does not already have fingerprint clearance on file with
29 the Commission, the application must include two fingerprint cards and
30 the completed Application for Character and Identification Clearance
31 (form 41-CIC, rev 11-93), and appropriate fee(s).
- 32 (g) Effective Date and Proposed Duration. The application shall specify the
33 effective date of the waiver and the date when the waiver will cease to
34 be needed.
- 35 (h) Signatures. The application shall include the signature of the district
36 personnel administrator or superintendent or the county
37 superintendent if service will be provided in a county-operated school.

38
39 NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Section 44225.
40 subdivisions (g) and (m), Education Code.
41
42

43 **80123. Requirements for Specified Categories of Waivers.**

- 44 (a) Local Approval of Short-Term Waivers. Employing agencies may grant
45 a short-term waiver as described under Section 80120(a) without prior

1 approval by the Commission, provided that a short-term waiver may be
2 issued one time only for any individual, and one time only for a given
3 class. The information required under Section 80122 for this type of
4 waiver shall be forwarded to the County Office of Education pursuant to
5 Education Code Section 44258.9. The Commission may rescind the
6 authority of any employing agency to grant a short-term waiver upon a
7 finding that the agency has intentionally violated any provision of
8 Section 80120-80123, California Code of Regulations.

9 (b) Applications for Variable Term Waivers shall be submitted to the
10 Commission by the employing agency or, if the applicant is not
11 employed by an employing agency, by the individual, as follows.

12 (1) Waivers to provide educators additional time to complete a
13 requirement shall, in addition to the requirements specified under
14 Section 80122, provide the following:

15 (A) the credential requirement(s) that must be completed;

16 (B) a commitment by the applicant, in the form of a signature,
17 to complete the requirement, with the proposed date by
18 which the requirement is to be completed;

19 (C) the name and position of any person assigned to provide
20 support and assistance to the applicant while he or she is
21 serving on the waiver; and

22 (D) a commitment by the employing agency to support and
23 assist the applicant, as feasible, in completing the
24 credentialing requirement.

25 (2) Waivers to temporarily exempt, geographically isolated regions,
26 with severely limited ability to develop personnel, from certain
27 state requirements for educator preparation and licensing shall, in
28 addition to the requirements specified under Section 80122,
29 include a Plan to Develop Fully Qualified Educators pursuant to
30 Section 80026.4 of Title 5, or a brief explanation as to why such a
31 plan cannot be submitted.

32 (3) Applications for a waiver for the purpose of reform or
33 restructuring shall meet the requirements set forth in Section
34 80122.

35 (4) Applications for other temporary waivers granted at the
36 discretion of the Commission shall meet the requirements set
37 forth in Section 80122.

38 (c) Applications for a Variable Term Waiver shall include a statement
39 signed by the applicant stipulating that to renew the waiver, the
40 applicant must pursue a course of study leading to full certification.

41
42 NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Section 44225,
subdivisions (g) and (m), Education Code.

1 **80124. Specific Requirements for the Renewal of Variable Term**
2 **Waivers.**

- 3 (a) Applications for the renewal of a variable term waiver shall meet the
4 requirements of Section 80122.
5 (b) Applications for the Renewal of a Variable Term Waiver for the Purpose
6 of Temporarily Exempting Educators in Geographically Isolated Regions
7 shall include a Plan to Develop Fully Qualified Educators pursuant to
8 Section 80026.4 of Title 5, or a brief explanation as to why such a plan
9 cannot be submitted.

10

11 NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Section 44225,
12 subdivisions (g) and (m), Education Code.

13