

COMMISSION ON TEACHER CREDENTIALING

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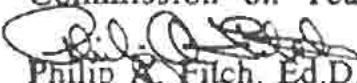
95-9504



OFFICE OF THE EXECUTIVE DIRECTOR

DATE: March 15, 1995

TO: All Individuals and Groups Interested in the Activities of the
Commission on Teacher Credentialing

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

SUBJECT: Proposed Amendments and Additions to Title 5, California Code
of Regulations, Concerning Emergency Permits

Notice of Public Hearing is Hereby Given

In accordance with Commission policy, the following Title 5 Regulations are being distributed prior to the public hearing:

Proposed Amendments to Sections 80023, 80023.1, 80023.2, 80024.1, 80024.2, 80024.3, 80024.4, 80024.5, 80024.6, 80026, 80026.1, and 80026.6
Proposed Addition of Sections 80024.2.1, 80024.3.1, 80024.7, and 80024.8

The public hearing is scheduled for:

May 4, 1995
1:30 PM
Hyatt Regency Hotel
1209 L Street
Sacramento, CA 95814

Statement of Reasons**Purpose/Effect of Proposed Action**

The proposed changes to Title 5 Section 80023 will update the list of emergency permits which are affected by the requirements listed in Sections 80023.1 through 80026.6.

In Section 80023.1 the proposal replaces the term "private school" with the more specific term "nonpublic, nonsectarian schools and agencies" which are the schools and agencies that need to submit applications for emergency permits. Also, the proposal adds a clarification of the dating procedure. This explains what results when the applicant's prerequisite credential expires before the permit would normally expire. This can happen with special education, resource specialist, CLAD, BCLAD, and library media emergency permits.

Section 80023.2 has two technical changes: the section number in subsection (c) has been changed to reflect the addition of two sections and the revision date of the application form in subsection (f) has been updated.

The proposed change to Sections 80024.1, 80024.3, 80024.4, 80024.5, and 80024.6 is intended to clarify the requirement for entrance into an appropriate Commission-approved program for initial applicants for each of these emergency permits. The current regulations require that the applicant either (1) apply for entrance to a regionally accredited college or university with a Commission-approved program for the related credential, or (2) be admitted to such an institution, or (3) demonstrate an intent to enroll in such an institution within a reasonable period of time. The proposal eliminates the first two options because providing documentation of admission or enrollment is unnecessary for initial issuance when a simple statement of intent will meet the requirement. Changing the requirement from enrollment in an institution with an approved program to intent to enroll in the approved program itself makes these sections correspond with section 80026.6 which specifies that for renewal the applicant must provide proof of enrollment and completion of appropriate coursework.

Section 80024.2 has been revised and Sections 80024.2.1, 80024.7 and 80024.8 have been added to reflect the changes in the related credentials for service to Limited English Proficient (LEP) students which were implemented on July 1, 1994. In addition, Sections 80024.2 and 80024.2.1 will now require subject matter competence prior to initial issuance just like the Emergency Multiple and Single Subject Teaching Permits without the emphasis.

The addition of Section 80024.3.1 has been proposed to satisfy a need for teachers of special education students in a resource setting. During the first six months that the Commission reviewed requests for credential waivers, they approved 785 for service in a resource setting. Approximately half of those waivers were for people who already hold teaching credentials and who would qualify, at a minimum, for an Emergency Specialist Instruction Permit in Special Education. However, that permit does not authorize service in a resource setting. The Commission is in the process of developing new standards and regulations for special education teachers. Those new standards will allow the holder of a Specialist Instruction Credential to serve in both classrooms and resource settings. Many individuals who obtain an emergency permit now will be able to complete requirements for the new mild/moderate or moderate/severe specialist credentials that will authorize that service. Therefore, the Commission wishes to add an emergency permit for service in a resource setting

to aid in the transition to the new standards, allowing individuals to get on the credential track instead of relying on waivers.

The proposed changes to Section 80026 clarify how an employing agency can derive the estimates that must be included on the Declaration of Need for Fully Qualified Educators and when that Declaration must be revised. The revised section also contains information on how nonpublic, nonsectarian schools and agencies may submit Declarations of Need for Fully Qualified Educators.

Finally, Sections 80026.1 and 80026.6 include a new statement that allows exceptions to the renewal requirements when those exceptions are listed in the requirements for the specific emergency permit. This includes the examination option for Emergency CLAD and BCLAD Permits and the assessment for Emergency Resource Specialist Permits.

Documents Relied Upon in Making Determination to Change These Regulations

The following documents were used to make the determination to seek these changes and additions to the regulations governing emergency permits:

- Statistical report prepared by Commission staff on the number of waivers issued.
- Declarations of Need for Fully Qualified Educators submitted by employing agencies and reviewed by Commission staff.

Alternatives Considered

The Commission must determine that no alternative considered will be more effective in carrying out the purpose for which the action is proposed or will be as effective and less burdensome to affected private persons or small businesses than the proposed action.

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments on the proposed actions. The written comment period closes at 5:00 p.m. on May 3, 1995. Any written comments received 14 days prior to the public hearing will be reproduced by the Commission's staff for each Commissioner as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

Submission of Written Comments

A response form is attached for your use when submitting written comments to the Commission. Please send it to the Commission at 1812 9th Street, Sacramento, CA

95814-7000 so that it is received at least one day prior to the date of the public hearing.

Public Hearing

Oral comments on the proposed action will be taken at the public hearing. We would appreciate 14 days advance notice in order to schedule sufficient time on the agenda for all speakers. Please contact Dr. Philip A. Fitch, Executive Director, at (916) 445-0184 regarding this.

Any person wishing to submit written comments at the public hearing may do so. It is requested, but not required, that persons submitting such comments provide twenty-five copies. All written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

Modification of Proposed Actions

If the Commission proposes to modify the actions hereby proposed, the modifications (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

Contact Person/Further Information

Inquiries concerning the proposed action may be directed to Bobbie Fite (916-445-5857). Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. Also available upon request, a copy of the proposed action written in plain English (i.e., written at the eighth grade level) will be made available. In addition, all the information upon which this proposal is based is available for inspection and copying.

COMMISSION ON TEACHER CREDENTIALING

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OFFICE OF THE EXECUTIVE DIRECTOR

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

Title: EMERGENCY PERMITS

Section Nos.: Proposed amendments to sections 80023, 80023.1, 80023.2, 80024.1, 80024.2, 80024.3, 80024.4, 80024.5, 80024.6, 80026, 80026.1, and 80026.6
 Proposed additions of sections 80024.2.1, 80024.3.1, 80024.7, and 80024.8

Response to the Attached Title 5 Regulations

So that the Commission on Teacher Credentialing can more clearly estimate the general field response to the attached Title 5 Regulations, please return this response form to the Commission office at the above address by 5 pm on May 3, 1995, in order that the material can be presented at the May 4, 1995, public hearing.

1. Yes, I agree with the proposed Title 5 regulations. Please count me in favor of these regulations.
2. No, I do not agree with the proposed Title 5 Regulations for the following reasons: (If additional space is needed, use the reverse of this sheet.)
3. Personal opinion of the undersigned, and/or
4. Organizational opinion representing: _____
 (Circle One) School District, County Schools, College, University, Professional Organization, Other
5. I shall be at the public hearing, place my name on the list for making a presentation to the Commission.
6. No, I will not make a presentation to the Commission at the public hearing.

Signature: _____ Date: _____

Printed Name: _____

Title: _____ Phone: _____

Employer/Organization: _____

Mailing Address: _____

**DIVISION VIII OF TITLE 5
CALIFORNIA CODE OF REGULATIONS**

**PROPOSED AMENDMENT TO SECTIONS 80023, 80023.1, 80023.2, 80024.1, 80024.2,
80024.3, 80024.4, 80024.5, 80024.6, 80026, 80026.1, and 80026.6
ADDITION OF SECTIONS 80024.2.1, 80024.3.1, 80024.7, and 80024.8
CONCERNING EMERGENCY PERMITS**

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

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

80023.1. General Provisions Governing Emergency Permits.

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

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

- (1) The terms "employing agency" and "local education agency" mean the school district, county office of education, nonpublic, nonsectarian school or agency, or school operating under the direction of a California state agency, which submits an emergency permit application to the Commission in order to employ the applicant.
- (2) "Applicant" is the individual for whom an emergency permit application is submitted.
- (3) "Regionally accredited college or university" means an institution of postsecondary education accredited by a regional accrediting body recognized by the Council on Postsecondary Accreditation and the United States Department of Education. In California the regional accrediting body is the Western Association of Schools and Colleges (WASC).
- (4) "Related credential" refers to the credential that provides the same authorization as a particular emergency permit.

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

- (1) Public school districts in California.
- (2) County offices of education or county superintendents of schools in California.
- (3) Schools that operate under the direction of a California state agency, ~~including publicly subsidized private schools.~~
- (4) Nonpublic, nonsectarian schools and agencies as defined in Education Code Sections 56365 and 56366.

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

- (1) An emergency permit issued between July 1 and the following January 31 shall expire on June 30 following the date of issuance.
- (2) An emergency permit issued between February 1 and June 30 shall expire on January 31 following the date of issuance.
- (3) The expiration date of an emergency permit which is dependent upon the possession of a valid basic credential will expire with that credential if it expires before the January 31st or June 30th date explained above. The emergency permit may be extended, with an application and fee but without verification of renewal requirements, to the end of the specified period when the basic credential is renewed.

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

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

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 80024.6.8.
- (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 11-94), 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 in a~~ Commission-approved program for the related credential within a ~~reasonable~~ the valid period of time the emergency permit.
 - (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
 - (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:
 1. 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

2. 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
- (D) Certification by the employing agency of all of the following:
1. the applicant has not had an opportunity to take the appropriate subject matter examination(s); and
 2. the applicant will take the appropriate subject matter examination(s) at the next regularly scheduled administration, and
 3. 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).
- (b) To renew an Emergency Multiple or Single Subject Teaching Permit, the applicant and the employing agency must meet the requirements for renewal of emergency permits specified in Section 80026.6.
- (c) Authorization:
- (1) An Emergency Multiple Subject Teaching Permit authorizes the same service as a Multiple Subject Teaching Credential.
 - (2) An Emergency Single Subject Teaching Permit authorizes the same service as a Single Subject Teaching Credential in the authorized field(s) listed on the permit.

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

80024.2. Emergency Multiple or Single Subject Teaching Permit with a Bilingual, Crosscultural, Language and Academic Development (BCLAD) Emphasis .

- (a) Requirements for the initial issuance of an Emergency Multiple or Single Subject Teaching Permit with a Bilingual, Crosscultural, Language and Academic Development (BCLAD) Emphasis 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 verify target-language proficiency by one of the following:
 - (A) Passage in the target language of the listening and speaking sections of Test 6 of the CLAD/BCLAD Examinations, or the oral language component of the Bilingual Certificate of Competence (BCC) examination, or
 - (B) Passage in the target language of an assessment covering oral language proficiency, both listening and speaking, administered by

- a California college or university ~~with a~~ as a part of its Commission-approved ~~bilingual~~ BCLAD emphasis program, or
- (C) Passage in the target language for which the Commission has no BCLAD Test 6 of an assessment covering oral language proficiency, both listening and speaking, performed 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, an approved organization pursuant to Education Code Section 44253.5(a), or
- (D) Possession of a three-year or higher degree from a foreign institution in which all instruction was delivered in the target language. The foreign institution must be equivalent in status to a regionally accredited institution of higher education in the United States.
- (3) The applicant must verify subject-matter competence by 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:
1. For the Emergency Single Subject Teaching Permit with a BCLAD Emphasis, at least 18 semester units, or nine upper division or graduate semester units of course work in the subject to be taught; or
 2. For the Emergency Multiple Subject Teaching Permit with a BCLAD Emphasis, 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
- (D) Certification by the employing agency of all of the following:
1. the applicant has not had an opportunity to take the appropriate subject matter examination(s); and
 2. the applicant will take the appropriate subject matter examination(s) at the next regularly scheduled administration, and
 3. 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).

- ~~(3)~~ (4) 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 in a Commission-approved program for the related credential within a reasonable the valid period of time the emergency permit.
- (b) To renew an Emergency Multiple or Single Subject Teaching Permit with a Bilingual BCLAD Emphasis, the applicant and the employing agency must meet the requirements for renewal of emergency permits specified in Section 80026.6.
- (c) Authorization.
- (1) An Emergency Multiple Subject Teaching Permit with a Bilingual, BCLAD Emphasis authorizes the same service as a Multiple Subject Teaching Credential with a Bilingual BCLAD Emphasis in the target language(s) listed on the permit.
- (2) An Emergency Single Subject Teaching Permit with a Bilingual BCLAD Emphasis authorizes the same service as a Single Subject Teaching Credential with a Bilingual BCLAD Emphasis in the target language(s) and authorized field(s) listed on the permit.

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

80024.2.1 Emergency Multiple or Single Subject Teaching Permit with a Crosscultural Language and Academic Development (CLAD) Emphasis

(a) Requirements for the initial issuance of an Emergency Multiple or Single Subject Teaching Permit with a Crosscultural Language and Academic Development (CLAD) Emphasis 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 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:
1. For the Emergency Single Subject Teaching Permit with a CLAD Emphasis, at least 18 semester units, or nine upper division or graduate semester units of course work in the subject to be taught; or
2. For the Emergency Multiple Subject Teaching Permit with a CLAD Emphasis, 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

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

1. the applicant has not had an opportunity to take the appropriate subject matter examination(s); and
2. the applicant will take the appropriate subject matter examination(s) at the next regularly scheduled administration, and
3. 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).

(3) The applicant must demonstrate intent to enroll in a Commission-approved program for the related credential within the valid period of the emergency permit.

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

(c) Authorization:

- (1) An Emergency Multiple Subject Teaching Permit with a CLAD Emphasis authorizes the same service as a Multiple Subject Teaching Credential with a CLAD Emphasis.
- (2) An Emergency Single Subject Teaching Permit with a CLAD Emphasis authorizes the same service as a Single Subject Teaching Credential with a CLAD Emphasis in the authorized field(s) listed on the permit.

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

80024.3 Emergency Specialist Instruction Permits for Teaching the Learning Handicapped, the Severely Handicapped, the Physically Handicapped, the Communication Handicapped, or the Visually Handicapped.

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

- (1) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.**
- (2) Either (A) or (B) below:**
 - (A) The applicant must possess a valid California teaching credential requiring a baccalaureate degree and a professional preparation program, including student teaching, or**
 - (B) 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.

- (3) ~~The applicant must apply for entrance or be admitted to a Commission-approved program for the appropriate Special Education Specialist Instruction or basic teaching credential(s), or demonstrate intent to enroll in a Commission-approved program for the appropriate Special Education Specialist Instruction Credential or the basic teaching credential within a reasonable the valid period of time the emergency permit.~~
- (4) Emergency Specialist Instruction Permits for teaching the Communication Handicapped and Visually Handicapped shall not be issued initially after July 1, 2000.
- (b) To renew an Emergency Specialist Instruction Permit for Teaching the Learning Handicapped, the Severely Handicapped, the Physically Handicapped, the Communication Handicapped, or the Visually Handicapped the applicant and the employing agency must meet the requirements for renewal of emergency permits specified in Section 80026.6.
- (c) Authorization: An Emergency Specialist Instruction Permit authorizes the same service as the Specialist Instruction Credential in the authorized field(s) listed on the permit.

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

80024.3.1 Emergency Resource Specialist Permit.

- (a) Requirements for the initial issuance of an Emergency Resource Specialist Permit include all of the following:
 - (1) The applicant and the employing agency must meet the general requirements as stated in Section 80023.2.
 - (2) Either (A) or (B) below:
 - (A) The applicant must possess a valid California teaching credential requiring a baccalaureate degree and a professional preparation program, including student teaching, or
 - (B) 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.
 - (3) Either (A), (B), or (C) below:
 - (A) The applicant who holds a basic California teaching credential which does not authorize instruction for special education students must demonstrate intent to enroll in a Commission-approved program for the appropriate Special Education Specialist Instruction Credential within the valid period of the emergency permit.
 - (B) The applicant who holds a California teaching credential which authorizes instruction for special education students must demonstrate intent to either enroll in a Commission-approved program or complete the assessment for the Resource Specialist

Certificate of Competence as outlined in Sections 80070.2 through 80070.8 within the valid period of the emergency permit.

(C) The applicant who holds or is eligible for an out-of-state credential in special education must demonstrate intent to enroll in either a Commission-approved program for the appropriate Special Education Specialist Instruction Credential or the basic teaching credential, as appropriate to his or her training, within the valid period of the emergency permit.

(b) To renew an Emergency Resource Specialist Permit the applicant and the employing agency must meet the requirements for renewal of emergency permits specified in Section 80026.6, except in lieu of the six semester units of coursework or ninety clock hours of professional development described in Section 80026.6(a)(5), the applicant who holds a California teaching credential which authorizes instruction for special education students may complete the assessment for the Resource Specialist Certificate of Competence provided for in Section 80070.6.

(c) Authorization: An Emergency Resource Specialist Permit authorizes the same service as the Resource Specialist Certificate of Competence.

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

80024.4. **Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, including the Special Class Authorization.**

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

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

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

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

(B) 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.

(3) ~~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 in a Commission-approved program for the Clinical or Rehabilitative Service Credential in Language, Speech and Hearing, including the Special Class Authorization, within a reasonable the valid period of time the emergency permit~~

- (4) 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.
- (b) To renew an Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, including the Special Class Authorization, the applicant and the employing agency must meet the requirements for renewal of emergency permits specified in Section 80026.6.
- (c) Authorization. An Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, including the Special Class Authorization, authorizes the same service as a Clinical or Rehabilitative Services Credential in Language, Speech and Hearing, including the Special Class Authorization.

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

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

- (a) Requirements for the initial issuance of an Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing include all of the following:
- (1) The applicant and the employing agency must meet the general requirements as stated in Section 80023.2.
 - (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.
 - (3) 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 in a Commission-approved program for the Clinical or Rehabilitative Service Credential in Language, Speech and Hearing within a reasonable ~~the valid period of time~~ the emergency permit.
 - (4) The Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing shall not be issued initially after July 1, 2000.
- (b) To renew an Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, the applicant and the employing agency must meet the requirements for renewal of emergency permits specified in Section 80026.6.
- (c) Authorization. An Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing authorizes the same service as a Clinical or Rehabilitative Services Credential in Language, Speech and Hearing.

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

80024.6 Emergency Library Media Teacher Services Permit.

- (a) Requirements for the initial issuance of the Emergency Library Media Teacher Services Permit are as follows:
- (1) Persons holding a valid California Teaching Credential must verify all of the following:
 - (A) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.
 - (B) The applicant must possess a valid California Teaching Credential based on a baccalaureate degree and a professional preparation program, including student teaching.
 - (C) ~~The applicant must apply for entrance or be admitted to a Commission-approved program for the Library Media Teacher Services Credential or demonstrate intent to enroll in such a Commission-approved program for the Library Media Teacher Services Credential~~ within a reasonable the valid period of time the emergency permit.
 - (2) Persons holding or eligible for a valid service credential from a state other than California must verify all of the following:
 - (A) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.
 - (B) The applicant must verify possession of or eligibility for an out-of-state credential or certificate authorizing service as a school librarian.
 - (C) The applicant must ~~apply for entrance or be admitted to a Commission-approved program for the Library Media Teacher Services Credential or prerequisite teaching credential or~~ demonstrate intent to enroll in such a Commission-approved program for the Library Media Teacher Services Credential or the prerequisite teaching credential within a reasonable the valid period of time the emergency permit.
- (b) To renew an Emergency Library Media Teacher Services Permit, the applicant and the employing agency must meet the requirements for renewal of emergency permits specified in Section 80026.6.
- (c) Authorization. An Emergency Library Media Teacher Services Permit authorizes the same service as a Library Media Teacher Services Credential.

Note: Authority cited: Section 44225 subsections (b) and (q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), and 44300 Education Code.

80024.7 Emergency Bilingual, Crosscultural, Language and Academic Development (BCLAD) Permit

- (a) Requirements for the initial issuance of an Emergency Bilingual, Crosscultural, Language and Academic Development (BCLAD) 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 possess a valid credential or permit as specified in Education Code Section 44253.4(b)(1).

- (3) The applicant must verify target-language proficiency by one of the following:
- (A) Passage in the target language of the listening and speaking sections of Test 6 of the CLAD/BCLAD Examinations, or the oral language component of the Bilingual Certificate of Competence (BCC) examination, or
 - (B) Passage in the target language of an assessment covering oral language proficiency, both listening and speaking, administered by a California college or university as a part of its Commission-approved BCLAD emphasis program, or
 - (C) Passage in the target language for which the Commission has no BCLAD Test 6 of an assessment covering oral language proficiency, both listening and speaking, performed by an approved organization pursuant to Education Code Section 44253.5(a), or
 - (D) Possession of a valid, non-emergency California Single Subject or Standard Secondary Teaching Credential with a major in the target language, or
 - (E) Possession of a three-year or higher degree from a foreign institution in which all instruction was delivered in the target language. The foreign institution must be equivalent in status to a regionally accredited institution of higher education in the United States.
- (b) To renew an Emergency Bilingual, Crosscultural, Language and Academic Development (BCLAD) Permit the applicant and the employing agency must meet the requirements for renewal of emergency permits specified in Section 80026.6 except in lieu of the six semester units of coursework or ninety clock hours of professional development described in Section 80026.6(a)(5), the applicant must complete both of the following:
- (1) Pass either Test 4, Test 5, or all four parts of Test 6 of the CLAD/BCLAD Examinations if these tests, or their equivalent as detailed in Section 80015.1, were not passed prior to issuance of the emergency permit being renewed. If all of these tests were passed prior to the issuance of the emergency permit being renewed, three semester units of coursework required for the CLAD Certificate may be substituted. Passage of the four parts of Test 6 is not required of anyone who qualifies for the emergency permit by completion of subsections (D) or (E) in section 80024.7(a)(3) above.
 - (2) Pass either Test 1, Test 2, or Test 3 of the CLAD/BCLAD Examinations if these tests, or their equivalent as detailed in Section 80015.1, were not passed prior to issuance of the emergency permit being renewed. If all of these tests were passed, or if the applicant opts to complete coursework in lieu of taking these tests, three semester units of coursework required for the CLAD Certificate may be substituted.
- (c) Authorization. The Emergency Bilingual, Crosscultural, Language and Academic Development (BCLAD) Permit authorizes the same service as the

Bilingual, Crosscultural, Language and Academic Development (BCLAD) Certificate.

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

80024.8 Emergency Crosscultural, Language and Academic Development (CLAD) Permit

- (a) Requirements for the initial issuance of an Emergency Crosscultural, Language and Academic Development (CLAD) 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 possess a valid credential or permit as specified in Education Code Section 44253.3(b)(1).
- (b) To renew an Emergency Crosscultural, Language and Academic Development (CLAD) Permit the applicant and the employing agency must meet the requirements for renewal of emergency permits specified in Section 80026.6 except in lieu of the six semester units of coursework or ninety clock hours of professional development described in Section 80026.6(a)(5), the applicant must complete any two of the following: Test 1, Test 2, or Test 3 of the CLAD/BCLAD Examination, if these tests, or their equivalent as detailed in Section 80015.1, were not passed prior to issuance of the emergency permit being renewed. If the tests were passed, or if the applicant opts to complete coursework in lieu of taking the tests, three semester units of coursework required for the CLAD Certificate may be substituted for each test not taken.
- (c) Authorization. The Emergency Crosscultural, Language and Academic Development (CLAD) Permit authorizes the same service as the Crosscultural, Language and Academic Development (CLAD) Certificate.

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

80026. Declaration of Need for Fully Qualified Educators.

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

- (a) ~~Title(s) of Emergency Permit(s) that the Employing Agency Anticipates Will Be Requested.~~ Estimated Need: This shall include the title(s) and number of each type of emergency permit which the employing agency estimates, based on previous year actual needs and projections of enrollment, it will need during the year covered by the Declaration. In addition, it shall include each subject to be listed on Emergency Single Subject Teaching Permits and the target language

on ~~an~~ Emergency Multiple Subject or Single Subject Teaching Permits with a Bilingual, Crosscultural, Language and Academic Development (BCLAD) Emphasis ~~or on Emergency BCLAD Permits~~. The Declaration of Need for Fully Qualified Educators ~~may shall~~ be revised, when the number of emergency permits needed exceeds the estimate by ten percent, by the governing board or superintendent/administrator of the employing agency, as needed specified in subsection (e) below.

- (b) Efforts to Recruit Certificated Personnel. This shall include a brief description of 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 its vacancy or vacancies which were mailed to college or university placement centers.
- (c) ~~Efforts by the Employing Agency to Certify, Assign and Develop Fully Qualified Personnel to Establish Alternative Training Options.~~ The Declaration shall:
 - (1) identify the names of institutions of higher education co-sponsoring internships or other certification programs with the employing agency or, if no such programs exist, briefly explain why; and
 - (2) indicate whether the employing agency has considered developing a "Plan to Develop Fully Qualified Educators" in cooperation with other education agencies in the region pursuant to Section 80026.4, or if not, briefly explain why.
- (d) Stipulation of Insufficiency of Suitable Applicants. The employing agency shall certify that there is an insufficient number of certificated persons who meet the employing agency's specified employment criteria to fill necessary positions.
- (e) Adoption of the Declaration. The Declaration of Need for Fully Qualified Educators shall be adopted by the governing board of a school district, or by the superintendent of a county office of education or by the administrator of a state school or nonpublic, nonsectarian school or agency.
 - (1) A Declaration of Need for Fully Qualified Educators by a school district shall be adopted by the governing board in a regularly-scheduled, public meeting of the board. The entire Declaration of Need for Fully Qualified Educators shall be included in the board agenda, and shall not be adopted by the board as part of a consent calendar.
 - (2) A superintendent of a county office or the administrator of a state school or nonpublic, nonsectarian school or agency shall publicly announce his or her intent to adopt a Declaration of Need for Fully Qualified Educators at least 72 hours prior to adopting the Statement. The adopted Statement shall be signed by the superintendent or administrator.

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

80026.1. Information to Applicants.

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

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

- (b) the name, or if providing the name is not feasible, the position, of the individual responsible for providing the guidance and assistance required by Section 80026.5;
- (c) that, in order to renew an emergency permit, the applicant must be admitted to a Commission-approved professional preparation program, and must complete a minimum of six semester units, or nine quarter units, of course work for the related credential or, for the first renewal, be participating in a professional development program, and complete the equivalent as described in the employing agency's "Plan to Develop Fully Qualified Educators," unless exceptions for renewal are listed under the specific requirement for the type of emergency permit for which application is being made.

NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225, 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, unless exceptions for renewal are listed under the specific requirement for the type of emergency permit for which application is being made:
 - (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.