

COMMISSION ON TEACHER CREDENTIALING

1812 Ninth Street

Sacramento, California 95814-7000

95-9512



DATE: May 26, 1995

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

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

SUBJECT: Proposed Amendment of Sections 80105 through 80116 of
Title 5, California Code of Regulations, Pertaining to the
Children's Center Permit

Notice of Public Hearing is Hereby Given:

In accordance with Commission policy, proposed Title 5 Regulations are being distributed prior to the public hearing. The public hearing is scheduled on:

July 13, 1995
1:30 p.m.
Hilton Hotel, Sacramento
2200 Harvard
Sacramento, California

Statement of ReasonsPurpose/Effect of Proposed Action

These proposed regulations are intended to upgrade and streamline the current permit structure for individuals who work as instructors and supervisors in child care and development programs. The new Child Development Permit structure proposed in these regulations will eliminate the need for Emergency Instructional Permits and Supervision permit waivers, allow for alternative qualifications for meeting the requirements for the permit, better reflect the staffing needs of the field by offering

multiple levels of service for both instructors and supervisors, and replace existing renewal requirements with a more flexible professional growth requirement for all levels of the permit. In addition, these proposed regulations will eliminate Life Supervision Permits, the only permits issued by the Commission for life under current regulations.

Proposed changes in section 80105 will add definitions that are relevant to the Child Development Permit and delete definitions that are no longer applicable. The Child Development Permit is defined as the permit that replaces the Children's Center Permit.

Proposed changes in section 80107 will replace all references to the Children's Center Permit with the Child Development Permit. In addition, the application procedures, the date of issuance specifications, and the renewal of expired permit regulations are updated and clarified. Finally, this section provides for a reduced fee for early renewal of the permit for individuals who apply for and qualify for a higher level permit within three years of the date of issuance. This provision of the proposed regulations recognizes that individuals who work in the early childhood profession make very low wages, and provides an incentive to up-grade to a higher level of permit and to complete professional growth requirements early.

Proposed changes in section 80109 eliminate all references to the types of Children's Center Permits issued and describe the levels of the proposed Child Development Permit that will be available. This section also provides that all individuals currently possessing a valid Children's Center Permit when these regulations go into effect may continue to hold the permit or may have their permit evaluated and converted to a Child Development Permit. This section also eliminates the option for Life Permits.

Proposed changes and additions in sections 80110, 80111, 80112, 10113, 80114, and 80115 address the particular requirements for each new level of the Child Development Permit, including the Child Development Assistant Permit, the Child Development Associate Teacher Permit, the Child Development Teacher Permit, the Child Development Master Teacher Permit, the Child Development Site Supervisor Permit, and the Child Development Program Director Permit. In sections 80111, 80112, 80113, and 80114, this proposed language replaces old language referring to the types of Children's Center Permit issued and the various requirements and procedures governing the Children's Center Permit. The first four levels of the proposed Child Development Permit have three alternative approaches to meeting the requirements for obtaining the Permit. Option one requires coursework and field experience, option two requires a higher degree than

the coursework in option one, as well as field experience, and option three requires completion of equivalent training approved by the Commission on Teacher Credentialing. The two supervision levels of the permit include each of these three options as well as options wherein an applicant who holds a valid California Multiple or Single Subject Credential or a valid California Administrative Services Credential meets the requirements for the site supervisor and program director levels.

The term and renewal for each level of the proposed permit structure, as provided in sections 80110, 80111, 80112, 10113, 80114 and 80115 are the same: each level of the permit must be renewed every five years based upon completion of 105 hours of professional growth. The Associate Teacher level of the permit is the only level with restrictions on the number of times it can be renewed and on the progress that must be made in order to renew. Although the proposed Child Development Permit will allow an individual to serve as a teacher in a child care and development program with only twelve units of early childhood education (ECE) or child development (CD) coursework, it is expected that an individual at this level will meet the full teacher requirements of 24 ECE/CD units and 16 general education units within ten years.

The current Children's Center Permit requires an Instructor to have completed 24 ECE/CD units in addition to 16 units of general education coursework. In order to teach in a state-subsidized child care and development program, an instructor must hold a Regular Instructional Permit or an Emergency Instructional Permit, which is based on 12 ECE/CD units. The Emergency Permit can only be held for a total of eight years, which includes two renewals, and only authorizes service in the specific center named on the permit. In order to move to another center, an Emergency Permit teacher is required to apply for another Emergency Permit. Instructors in non-state subsidized centers are only required to complete 12 ECE/CD units in order to serve as the teacher of record. This bifurcated system has created a staffing crisis for the public sector, and keeps high quality teachers in the private sector out of state subsidized child care and development programs. Creation of the Associate Teacher level of the Child Development Permit "legitimizes" the 12 unit teacher and allows greater movement between the public and private sectors. At the same time, in order to maintain high standards for teachers in child care and development programs, the Associate Teacher level of the permit has limited renewability.

Finally, sections 80110, 80111, 80112, 10113, 80114, and 80115 of the proposed regulations describe the authorization of for each level of the Child Development Permit.

Section 80111.1 currently details requirements for obtaining a Life Children's Center Supervision Permit. The proposed revisions to the regulations would delete this option and include in the renewal requirements a professional growth requirement to ensure continued learning and growth for supervisors. This section would therefore be deleted.

In section 80114.1, current regulations provide for the issuance of a Limited Children's Center Instructional Permit. This type of permit will no longer be available, therefore these proposed regulations delete all reference to the Limited Permit.

Proposed changes in section 80116 of the regulations update procedures for denial, suspension and revocation of the Child Development Permit.

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 the Children's Center Permit:

-- Statistical reports produced by the Commission's Credentialing Automation System and the Child Development Division of the California Department of Education

-- *Advancing Careers in Child Development: California's Plan*, Pacific Oaks College and Children's School, 1993

-- *Staffing Child Care and Development Programs: An Examination of the Children's Center Permit*, Commission on Teacher Credentialing and Superintendent of Public Instruction, 1994

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 July 12, 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 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. Please contact Dr. Philip A. Fitch 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 Mary Vixie Sandy, telephone (916) 445-3224. 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, at the eight grade level, will be made available. In addition, all the information upon which this proposal is based is available for inspection and copying.

Attachments

COMMISSION ON TEACHER CREDENTIALING

Box 944270
Sacramento, California 94244-2700
(916) 445-7254



OFFICE OF THE EXECUTIVE DIRECTOR

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

Title: 5, Children's Center Permits
Section Nos.: Proposed amendments to sections 80105,
80107, 80109, 80110, 80111, 80111.1, 80112, 80113,
80114, 80114.1, 80115, and 80116

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 July 12, 1995, in order that the material can be presented at the July 13, 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 of Sections 80105, 80107, 80109, 80111,
80112, 80113, 80114 and 80116
Proposed Addition of Sections 80110, and 80115
Proposed Deletion of Sections 80111.1 and 80114.1
Children's Center Permit

Article 5. Permits Authorizing Service in ~~Children's Centers~~ Child Care and Development Programs

80105. Definitions.

As used in this article, each of the following terms has the meaning herein shown:

- (a) ~~"An experience period" means paid or volunteer services in an instructional capacity in a child care and development program for not less than two hours per day, for at least 100 days during not more than three school years; only one year of experience may be earned in a school year. "Child Development Permit" means any permit issued by the Commission on Teacher Credentialing which authorizes service in the care, development and instruction of children in a child care and development program. Child Development Permits were formerly referred to as Children's Center Permits.~~
- (b) ~~"Child care and development program" means any state licensed group center-based child care or early childhood education and development program for children operated by a person, association, organization or school district legally authorized to conduct such programs. Child development programs include but are not limited to the following:—~~
- ~~(1) Children's center and child care programs for pre-school and school-age children.~~
 - ~~(2) Pre-school programs for children under the minimum age for admission to public schools.~~
 - ~~(3) Parent-cooperative nursery schools.~~
 - ~~(4) Family day care programs with documented supervision (i.e., by local family day care associations, colleges, or child care resource and referral agencies) in an organized developmental program.~~
 - ~~(5) Infant development programs.~~
- (c) "General education" means college course work from a regionally accredited institution of higher education in subject areas other than early childhood education and/or child development. The candidate must have earned a "C" or above in each course to be accepted.
- (d) ~~"Field work"~~ "Supervised field experience" means instruction done in a child care and development program from a regionally accredited institution of higher education for college credit and supervised by a person appointed by the institution. ~~This instruction is separate from the required "experience period."~~

- (e) "Early childhood education/child development course work" means course work from a regionally accredited institution of higher education primarily related to children ages five years or younger, ~~but 25%~~ Twenty-five percent of the course work may be extended to cover children ages five to, and including, eight years. The candidate must have earned a "C" grade or above in each course to be accepted.
- (f) ~~"Commission approved filed based assessment system" means an on site assessment system for child development candidates that has been approved by the Commission.~~ "Commission approved non-college based training" means training which occurs outside of a regionally accredited institution of higher education that has been approved by the Commission to meet all or part of the requirements for obtaining a Child Development Permit. Commission approved non-college based training must meet criteria established by the Commission in consultation with the Superintendent of Public Instruction in order to be applied toward the Permit.
- (g) ~~"Commission approved field based assessor agency" means an agency, organization, or group which has received approval by the Commission to assess the competencies of candidates for the Limited Children's Center Instructional Permit.~~ "Child Development Associate (CDA) credential" means a nationally recognized certificate issued by the CDA Credentialing Commission in Washington DC.
- (h) ~~"National field based assessment system" means a system developed and administered through federal funds that is used in a number of states to meet their credentialing requirements for early childhood teachers.~~ "Professional growth" means participation in activities that contribute to a permit holder's competence, performance or effectiveness in the early childhood profession. Such activities may include but are not limited to college or university coursework, conferences, workshops, institutes, academies, symposia, and staff development programs.
- (i) ~~"National child development field based credential" is a credential issued by a non-profit institution which serves as a field based assessor agency for early childhood teachers.~~ "Core areas" means individual courses or training in each of the following areas:
(1) child and/or human development;
(2) child, family and community or child and family relations; and
(3) programs and curriculum.
- (j) "Aide" means an individual who cares for and assists in the development and instruction of children under the supervision of a Child Development Permit (CDP) Teacher, CDP Master Teacher, CDP Site Supervisor, or CDP Program Director. An aide may not be supervised by a CDP Associate Teacher or CDP Assistant. An aide is not required to hold a Child Development Permit.
- (k) "Adult supervision coursework" means a course that helps Child Development Permit candidates develop knowledge and skills for effective communication with and supervision of adults.

(l) "Accredited Home Economics and Related Occupations (HERO) program" means a high school training program using curriculum developed by the Home Economics division of the California Department of Education to train secondary students to serve as aides or assistants in a child care and development program. Such training qualifies an individual to obtain a Child Development Assistant Permit.

(m) "Regional Occupation Program (ROP)" means a program designed to prepare secondary students or adults in home economics related occupations. Such training qualifies an individual to obtain a Child Development Assistant Permit.

(n) "Program year" means 175 days of three or more hours per day working in a child care and development program.

NOTE: Authority cited: Sections ~~8363~~, 8370 and 44225(bd), Education Code. Reference; Sections 8370 and 8363, Education Code.

80107. Application Procedure and Date of Issuance of a Permit.

(a) **Submission of Application.** Each applicant for a ~~Children's Center~~ Child Development Permit of any type or for any renewal thereof shall submit an application to the ~~Commission for Teacher Preparation and Licensing on Teacher Credentialing~~, or to the Office of the County or District Superintendent of Schools of the county in which the applicant is employed.

(b) **Application Form.** An application for a ~~Children's Center~~ Child Development Permit shall be submitted on the application form furnished by the ~~Commission for Teacher Preparation and Licensing on Teacher Credentialing~~ and shall be accompanied by ~~ass-~~ all of the following:

(1) If the applicant does not already have fingerprint clearance on file with the Commission, the permit application must include Duplicate personal identification cards as specified in Section 80442 and 41-CIC.

(2) A The fees as specified in Section 80487(a)(4)-.

(3) Official transcripts of record listing all required college and university course work appropriate to the permit requested.

(4) Verification of training completed through Commission approved non-college based training, if appropriate to the permit requested.

(4)(5) Verification of Experience- For each permit granted in whole or in part on the basis of educational requiring experience, the application shall be accompanied with by original letters, from ~~responsible~~ authorized persons having knowledge of the facts, verifying the dates and ~~character~~ nature of the experience claimed.

(c) **Date of Issuance.** ~~When~~ If all requirements for a permit are met by the date an application is filed, the permit ~~shall~~ will be dated as of ~~the~~ that date, ~~the application was filed, and such~~ and that date shall will be deemed the date of issuance. If further requirements are needed, then the date of issuance will be the date on which all necessary requirements have been met.

~~When all requirements are not met by such date, the permit shall be dated as of the date on which all of the requirements have been completed, and such date shall be deemed the date of issuance.~~

- (d) ~~No Renewal of Expired Permit.~~ An expired permit shall not be renewed. However, if an applicant with an expired permit meets all of the renewal requirements and submits an application and fee, the permit shall be reissued as of the date of filing.
- (e) ~~Failure to Meet Renewal Requirements.~~ In the event the holder of a permit failed to meet the renewal requirements set forth in this article, he may petition the Commission on Teacher Credentialing for a new permit under current standards. The issuance thereof shall be within the discretion of the Commission on Teacher Credentialing.
- (f) Reduced Fee for Early Renewal. When a Permit holder completes all of the requirements for a higher level of the Child Development Permit within three years of the date of initial issuance, he/she may submit an application for renewal and the original unexpired permit and pay half the renewal fee.

NOTE: Authority cited: Section 8370, Education Code. Reference: Sections 8362, 8363 and 44340, Education Code.

80109. ~~Types- Levels of the Permits~~ -.

- (a) ~~The Commission on Teacher Credentialing shall issue the following permits~~ Child Development Permit for service in child care and development programs at the following levels:
 - (a)(1) ~~Regular or Life Children's Center Supervision Permit.~~ Child Development Assistant Permit.
 - (2) ~~Emergency, Limited or Regular Children's Center Instructional Permit.~~ Child Development Associate Teacher Permit.
 - (3) Child Development Teacher Permit.
 - (4) Child Development Master Teacher Permit.
 - (5) Child Development Site Supervisor Permit.
 - (6) Child Development Program Director Permit.
- (b) All valid permits for service in a child care and development program issued prior to the effective date of this section shall continue in force and may be renewed as prescribed for each specific type of permit at the time it was issued. Upon request of the applicant, permits issued under prior regulations may be evaluated for the appropriate permit level under current regulations.
- (c) Individuals holding permits issued under previous regulations who did not complete the renewal requirements specified for that type of permit may re-apply under current regulations.
- (e)(d) Effective September 1, 1985, thirty days after these regulations become effective, the Commission on Teacher Credentialing will no longer issue Life Instructional Ppermits. to individuals who earn a permit under these regulations.

NOTE: Authority cited: Sections 8363(a), 8370 and 44225(b), Education Code. Reference: Sections 8363 and 8370, Education Code.

80110 Child Development Assistant Permit.

(a) Requirements. Each applicant for a Child Development Assistant Permit shall comply with the procedure prescribed for application in Section 80107 and shall meet one of the following:

- (1) Completion of six (6) semester units of early childhood education or child development coursework;
- (2) Completion of an accredited Home Economics and Related Occupations (HERO) or Regional Occupation Program (ROP); or
- (3) Completion of equivalent training approved by the Commission on Teacher Credentialing. Equivalent training may include traditional coursework taken through a regionally accredited institution of higher education and Commission approved non-college based training.

(b) Term and Renewal. The Child Development Assistant permit shall be issued for five years and may be renewed for a five year periods upon submission of the following:

- (1) an application for renewal;
- (2) required fees; and
- (3) verification of completion of 105 hours of professional growth.

(c) Authorization. The Child Development Assistant Permit authorizes the holder to care for and assist in the development and instruction of children in a child care and development program under the supervision of a CDP Associate Teacher, CDP Teacher, CDP Master Teacher, CDP Site Supervisor, or CDP Program Director.

NOTE: Authority cited: Sections 8363(a), 8370, 44225(d), Education Code. Reference: Sections 8363 and 8370, Education Code.

80111. ~~Regular Children's Center Supervision~~ Child Development Associate Teacher Permit.

~~(a) Each applicant for a Regular Children's Center Supervision Permit shall comply with the procedure prescribed for application in Section 80107 and shall meet all of the following requirements:—~~

- ~~(1) Hold a Regular Children's Center Instructional Permit.—~~
- ~~(2) Complete twelve semester units in early childhood education/child development at an advanced level (i.e., beyond the initial academic course work required for the Regular Instructional Permit).—~~
- ~~(3) Complete six semester units of course work in administration and supervision of child development programs.—~~
 - ~~(A) The six semester units must include at least two different courses. One course shall be introductory and one course shall be advanced or they must be courses with different topical content.—~~
- ~~(4) Complete two years of experience as a teacher in an instructional capacity in a child development program.—~~
- ~~(5) Hold a bachelor's or higher degree granted by a regionally accredited institution of higher education.—~~

- ~~(6) Pass the California Basic Educational Skills Test (CBEST).~~
- ~~(b) Term and Renewal. The regular Children's Supervision permit shall be issued for five years and may be renewed for five year periods.~~
- ~~(c) Authorization. The Supervision Permit authorizes the holder to perform the following services in a child development program:~~
- ~~— (1) Supervise a child development program consisting of any number of children's facilities.~~
 - ~~— (2) Perform services in the care, development and instruction of children in a child development program.~~

(a) Requirements. Each applicant for a Child Development Associate Teacher Permit shall comply with the procedure prescribed for application in Section 80107 and shall meet one of the following:

(1) All of the following:

(A) Completion of a minimum of 12 semester units of coursework in early childhood education/child development (exclusive of field work used to satisfy Section 80111 a, 1, B) including at least one course in each of the following core areas: child/human growth and development; child, family and community, or child and family relations; programs/curriculum; and

(B) Fifty days of experience in an instructional capacity in a child care and development program, working at least three hours per day within the last two years.

(2) Completion of the Child Development Associate (CDA) Credential.

(3) Completion of equivalent training approved by the Commission on Teacher Credentialing. Equivalent training may include traditional coursework taken through a regionally accredited institution of higher education and Commission approved non-college based training.

(b) Term and Renewal. A Child Development Associate Teacher Permit shall only be renewed once, and may only be held for a total of ten years. Upon expiration of the renewed Child Development Associate Teacher Permit, the applicant must qualify for the Child Development Teacher Permit.

(1) In order to renew the Child Development Associate Teacher Permit, the applicant must have completed at least fifteen (15) semester units toward the Child Development Teacher Permit.

(2) At the end of the five year renewal period, the applicant must meet all requirements for a Child Development Teacher Permit. The Child Development Associate Teacher Permit may not be renewed a second time.

(3) An application for renewal must be accompanied by the required fees and verification that all renewal requirements have been met.

(c) Authorization. A Child Development Associate Teacher Permit authorizes the holder to provide service in the care, development, and instruction of children in a child care and development program, and supervise a Child Development Assistant Permit holder.

NOTE: Authority cited: Sections 8363(a), 8370 and 44225 (d), Education Code.
Reference: Sections 8363, and 8370, Education Code.

~~80111.1. Life Children's Center Supervision Permit.~~

- ~~(a) Each applicant for a Life Children's Center Supervision Permit shall comply with the procedure prescribed for application in Section 80107 and shall meet all of the following requirements:~~
- ~~(1) Hold a Regular Children's Center Supervision Permit.~~
 - ~~(2) Complete five years of full-time experience in the last 10 years, earned while possessing or being eligible for the permit, at least two years of which must have been continuous full-time employment while holding a Regular Supervision Permit.~~
- ~~(b) Term and Renewal. The Life Children's Center Supervision Permit shall be issued for the life of the holder unless revoked or suspended.~~
- ~~(c) Authorization. A life supervision permit authorizes the services specified in 80111(e).~~

~~NOTE: Authority cited: Sections 8363(a), 8370, and 44225(b), Education Code. Reference: Sections 8363 and 8370, Education Code. (Filed 12-30-85; effective thirtieth day thereafter; Register 86, No. 1)~~

~~80112. Emergency Children's Center Instructional Permit. Child Development Teacher Permit.~~

~~(a) General provisions.~~

- ~~(1) An Emergency Children's Center Instructional Permit may be initially issued for a period of not more than two years. At the end of this initial issuance period of two years, the Emergency Permit holder must have completed a minimum of eight semester units in early childhood education/child development and/or general education in order to be eligible for renewal of the permit.~~
 - ~~(2) The Emergency Children's Center Instructional Permit holder is allowed two renewal periods of three years each. During each three-year renewal period, the candidate must complete 10 semester units. The Emergency Permit holder must verify completion of a minimum of 28 semester units in early childhood education/child development and general education by the end of the total eight-year issuance and renewal periods. If the Emergency Permit holder has not completed all of the requirements for the Regular Permit, the individual will not be authorized to serve in a child development program as a paid instructor.~~
- ~~(b) Each applicant for an Emergency Children's Center Instructional Permit shall comply with the procedure prescribed for application in Section 80107 and shall meet all of the following requirements:~~
- ~~(1) Completion of a minimum of 12 semester units of coursework in early childhood education/child development (exclusive of field work) including at least one course in each of the following core areas: Child/human growth and development; child, family and community, or child and family relations; programs/curriculum.~~
 - ~~(2) Completion of one of the following:~~
 - ~~(A) One experience "period" in an instructional capacity in a child development program or in grade three and below, or~~
 - ~~(B) A supervised field work course from an accredited institution of higher education in an instructional capacity in a pre-school program or~~

- ~~(C) Enrollment in an early childhood education/child development training program at a regionally accredited institution of higher education.~~
- ~~(3) Submission of the statement of need described in Section 80113.~~
- ~~(c) Requirements for renewal of the Emergency Children's Center Permit.~~
- ~~(1) One of the following:~~
- ~~(A) Verification of eight semester units in early childhood education/child development and/or general education completed during the initial two year issuance period.~~
- ~~(B) Verification of ten semester units of additional collegiate work leading to a degree or Regular Children's Center Instructional Permit completed during each successive three year renewal period.~~
- ~~(2) Submission of the statement of need described in Section 80113.~~
- ~~(3) As of September 1, 1984, demonstration of proficiency in basic reading, writing, and mathematics skills by submission of one of the following:~~
- ~~(A) A letter verifying the passage of a proficiency test developed by a school district pursuant to either Education Code Section 45351.5 or 51216;~~
- ~~(B) An official transcript showing completion of an associate or baccalaureate degree;~~
- ~~(C) The verification transcript of the passage of the California Basic Educational Skills Test (CBEST);~~
- ~~(D) A verification of the passage of the Commission approved field based assessment system leading to the Limited Permit.~~
- ~~(4) An applicant who has not verified basic skills proficiency as specified in subsection (c)(3) shall be granted a one or two year renewal under either of the following conditions:~~
- ~~(A) The applicant verifies completion of all requirements for renewal except basic skills proficiency and submits a letter from his/her employer verifying that he/she was employed in a children's center prior to September 1, 1984. This applicant shall be issued a two year renewal of the emergency permit so that he/she may be afforded additional opportunities to be assessed. Basic skills proficiency must be verified for the next renewal.~~
- ~~(B) The applicant has limited English speaking ability pursuant to Education Code Section 44252.7(c), verifies completion of all requirements for renewal except basic skills proficiency and submits a letter from the employing agency which confirms his/her limited English speaking ability and states that the renewal of the emergency permit is in the best interest of the children enrolled in the program. This applicant shall be issued a two year renewal of the emergency permit so that he/she may be afforded additional opportunities to be assessed. This applicant shall be issued an additional one year renewal if all other requirements are met. No person shall be issued renewals of the emergency permit for more than a total of three years without verifying basic skills proficiency.~~
- ~~(d) Authorization. An Emergency Instructional Permit authorizes the holder to perform service in the care, development, and instruction of children in a child development program, within the jurisdiction of the agency or school district that prepared and submitted the statement of need.~~
- (a) Requirements. Each applicant for a Child Development Teacher Permit shall comply with the procedure prescribed for application in Section 80107 and shall meet one of the following:
- (1) All of the following:

(A) Completion of twenty-four semester units of course work in early childhood education/child development including at least one course in each of the following core areas: child/human growth and development; child, family and community, or child and family, relations; programs/curriculum. Either of the following may be used to partially meet the 24-semester units requirements:

1. A two- or three-semester unit supervised field work course, including both the field and course work components, may be used toward the required 24 early childhood education/child development semester units, but the same field work course may not be used to meet the experience requirement listed in Section 80112(a)(1)(B).

2. Successful completion of the Child Development Associate (CDA) Credential, which may be used for nine semester units of credit toward the required 24 semester units.

(B) Completion of 175 days of experience in an instructional capacity in a child care and development program, working at least three hours per day within the last four years.

(C) Sixteen diversified semester units in general education (i.e., at least one course in each of the following areas: Humanities and/or Fine Arts, Social Sciences, Math and/or Science, and English).

- (2) Completion of an Associate of Arts degree or higher in early childhood education or child development or a related field, with a three (3) semester unit supervised field experience in an early childhood education setting.
- (3) Completion of equivalent training approved by the Commission on Teacher Credentialing. Equivalent training may include traditional coursework taken through a regionally accredited institution of higher education and Commission approved non-college based training.

(b) Term and Renewal. The Child Development Teacher Permit shall be issued for five years and renewed for successive five year periods upon submission of:

- (1) an application for renewal;
(2) required fees; and
(3) verification of completion of 105 hours of professional growth.

(c) Authorization. A Child Development Teacher Permit authorizes the holder to provide service in the care, development, and instruction of children in a child development program, and supervise a Child Development Permit Associate Teacher, a Child Development Permit Assistant, and an aide.

NOTE: Authority cited: Sections 8363(a), 8370 and 44225(b) (d), Education Code.
Reference: Sections 8363, and 8370, Education Code.

80113. Statement of Need. — Child Development Master Teacher Permit.

The statement of need shall:

- (1) Be prepared and signed by the Superintendent of schools of the employing District or County nor be prepared and signed by the head of the public or private agency concerned, as the case may be, through whom the application is submitted.

- ~~(2) Specify the names of at least three California Colleges, University, Community College, or other placement agencies that were contacted within the past two weeks to obtain a qualified, regular permit or credential holder, for the position designated.~~
- ~~(3) State either that a regular permit or credential holder is not available, or that one or more regular permit or credential holders are available, but are not deemed qualified by the employing agency, as applicable, to hold the position.~~
- ~~(4) Describe the situation or circumstances that necessitates the use of an emergency permit holder.~~

(a) Requirements. Each applicant for a Child Development Master Teacher Permit shall comply with the procedure prescribed for application in Section 80107 and shall meet one of the following:

(1) All of the following:

(A) Completion of twenty-four semester units of course work in early childhood education/child development including at least one course in each of the following core areas: child/human growth and development; child, family and community, or child and family; relations; programs/curriculum. Either of the following may be used to partially meet the required units

1. A two- or three-semester unit supervised field work course, including both the field and course work components, may be used toward the required 24 early childhood education/child development semester units, but the same field work course may not be used to meet the experience requirement listed in Section 80113 (a)(1)(E).

2. Successful completion of the Child Development Associate (CDA) Credential, which may be used for nine semester units of credit toward the required 24 semester units.

(B) Completion of sixteen diversified semester units in general education (i.e., at least one course in each of the following areas: Humanities and/or Fine Arts, Social Sciences, Math and/or Science, and English).

(C) Completion of six (6) additional semester units in an area of specialization which may include but is not limited to the following:

1. Infant and toddler care;

2. Bilingual and bicultural development;

3. Children with exceptional needs;

4. Preschool programming;

5. Parent/teacher relations;

6. Child health; and

7. Specific areas of developmentally appropriate curriculum.

(D) Completion of two (2) semester units of adult supervision coursework.

(E) Completion of 350 days of experience in an instructional capacity in a child care and development program, working at least three hours per day within the last four years.

(2) Completion of a baccalaureate degree or higher with twelve (12) or more semester units of early childhood education or child development

coursework, and a three (3) unit supervised field experience in an early childhood education setting.

(3) Completion of equivalent training approved by the Commission on Teacher Credentialing. Equivalent training may include traditional coursework taken through a regionally accredited institution of higher education and Commission approved non-college based training.

(b) Term and Renewal. The Child Development Master Teacher Permit shall be issued for five years and renewed for five year periods upon submission of the following:

(1) an application for renewal.

(2) required fees, and

(3) verification of completion of 105 hours of professional growth.

(c) Authorization. A Child Development Master Teacher Permit authorizes the holder to provide service in the care, development, and instruction of children in a child care and development program, and supervise a Child Development Permit Teacher, a Child Development Permit Associate Teacher, a Child Development Permit Assistant, and an aide. A Child Development Master Teacher Permit also authorizes the holder to serve as a coordinator of curriculum and staff development in a child care and development program.

NOTE: Authority cited: Sections 8363(a), 8370 and 44225(d), Education Code. Reference: Sections 8363, and 8370, Education Code. (Filed 4-6-81; effective thirtieth day thereafter; Register 81, No. 15)

80114. ~~Regular Children's Center Instructional Permit~~ Child Development Site Supervisor Permit.

~~(a) Each applicant for a Regular Children's Center Instructional Permit shall comply with the procedure prescribed for application in Section 80107 and shall meet all of the following requirements:~~

~~(1) Twenty four semester units of course work in early childhood education/child development including at least one course in each of the following areas: child/human growth and development; child, family and community, or child and family, relations; programs/curriculum. Either of the following may be use to partially meet the 24 semester units requirements.~~

~~(A) A two or three semester unit supervised field work course, including both the field and course work components, may be used to meet part of the required 24 early childhood education/child development semester units, but the same field work course may not be used to meet the experience requirement.~~

~~(B) Successful completion of the assessment for the Limited Children's Center Instructional Permit which may be used for nine semester units of credit toward the required 24 semester units.~~

~~(2) One of the following:~~

~~(A) Two "experience periods" in an instructional capacity as a paid aide or assistant in a child development program; or~~

~~(B) Three "periods" as a volunteer in an instructional capacity in a child development program; or~~

~~(C) One year of successful full-time teaching at the early childhood level (no less than 100 days) while holding the Limited Permit; or~~

~~— (D) A supervised two or three semester unit field work course from an accredited institution plus one year of experience in an instructional capacity in a child development program.~~

~~— (3) Sixteen diversified semester units in general education (i.e., at least one course in each of the following areas: Humanities, Social Sciences, Math and/or Science, and English).~~

~~— (4) Demonstration of proficiency in basic reading, writing and mathematics skills as described in Section 80112(c)(3).~~

~~— (b) Term and Renewal. The Regular Children's Center Instructional Permit shall be issued for five years and renewed for successive five year periods upon completion of the following:~~

~~— (1) Transcript verification of 15 semester units of course work leading to the baccalaureate degree completed within each five year term until the baccalaureate degree is completed and verified to the Commission.~~

~~— (c) Authorization. An Instructional Permit authorizes the holder to perform service in the care, development, and instruction of children in a child development program.~~

(a) Requirements. Each applicant for a Child Development Site Supervisor Permit shall comply with the procedure prescribed for application in Section 80107 and shall meet one of the following:

(1) All of the following:

(A) Completion of an Associate of Arts degree or 60 semester units, with at least twenty-four (24) units of early childhood education or child development, including the core courses of child and/or human development: child, family and community; and programs and curriculum.

(B) Completion of six (6) additional semester units of coursework in the administration and supervision of child care and development programs. These six units must include at least two different courses. One course shall be introductory and one course shall be advanced, or they must be courses of different topical content.

(C) Completion of two (2) semester units of adult supervision coursework.

(D) Completion of 350 days of experience in an instructional capacity in a child care and development program, working at least three hours per day within the last four years. Experience must include at least 100 days of supervising adults in a child care and development program.

(2) Completion of a baccalaureate degree or higher with twelve (12) or more semester units of early childhood education or child development coursework, and a three (3) unit supervised field experience in an early childhood education setting.

(3) An Administrative Services credential authorizing services in public schools in California, with twelve (12) semester units of early childhood education or child development coursework and a three (3) semester unit supervised field experience.

(4) A current credential issued by the Commission on Teacher Credentialing authorizing teaching service in a self-contained classroom or a secondary teaching credential in home economics, with twelve (12)

semester units of early childhood education or child development coursework and a three (3) semester unit supervised field experience.

(5) Completion of equivalent training approved by the Commission on Teacher Credentialing. Equivalent training may include traditional coursework taken through a regionally accredited institution of higher education and Commission approved non-college based training.

(b) Term and Renewal. The Child Development Site Supervisor Permit shall be issued for five years and renewed for successive five year periods upon submission of:

(1) an application for renewal;

(2) required fees; and

(3) verification of completion of 105 hours of professional growth.

(c) Authorization. A Child Development Site Supervisor Permit authorizes the holder to supervise a child care and development program operating at a single site, provide service in the care, development, and instruction of children in a child care and development program, and serve as a coordinator of curriculum and staff development in a child care and development program.

NOTE: Authority cited: Sections 8363(a), 8370 and 44225(d), Education Code. Reference: Sections 8363, and 8370, Education Code.

80114.1. Limited Children's Center Instructional Permit.

(a) Each applicant for a Limited Children's Center Instructional Permit shall comply with the procedures for application in Section 80107 and shall meet all of the following requirements:

(1) Provide verification from the Commission approved assessor agency that the candidate has successfully passed the Commission approved field-based assessment and provides evidence of holding the approved national field-based credential.

(A) The competencies (b)(1)-(6) listed below are part of the national assessment system that the Commission has accepted as meeting part of the Early Childhood Education 24 unit requirement for the Regular Instructional Permit.

(B) Passage of the national assessment will allow the holder nine semester units of credit toward the requirements for the Regular Children's Center Instructional Permit.

(2) Verification of completion of one year of successful full-time teaching in a child development program as part of completing the requirement for the Commission approved field-based assessment system.

(3) Verification of completion of six semester units of course work from a regionally accredited institution of higher education in the following areas:

(A) Child Growth and Development (a minimum of three semester units).

(B) Early Childhood Education (excluding field work or course work that is used to directly prepare the applicant for the field-based assessment process).

(4) Demonstration of proficiency in basic reading, writing, and mathematics skills as described in Section 80112(c)(3) fulfilled by (a)(1) above.

(b) In order to receive the Limited Permit, present documentation from the Commission approved national field-based assessor agency that the national credential candidate has demonstrated knowledge and skill in the following areas:

(1) Competency Goal I: To establish and maintain a safe, healthy learning environment.

— (A) Functional Area 1, Safety: Candidate helps to provide a safe environment to prevent and reduce injuries.—

— (B) Functional Area 2, Health: Candidate promotes good health and nutrition and provides an environment that does not contribute to or cause illness.—

— (C) Functional Area 3, Learning Environment: Candidate uses space, materials, and routines as resources for constructing an interesting and enjoyable environment that encourages exploration and learning.—

— (2) Competency Goal II: To advance physical and intellectual competence.—

— (A) Functional Area 4, Physical: Candidate provides a variety of equipment, activities, and opportunities to promote the physical development of children.—

— (B) Functional Area 5, Cognitive: Candidate provides activities and experiences that develop questioning, probing, exploration, and problem-solving appropriate to the developmental levels and learning styles of children.—

— (C) Functional Area 6, Communication: Candidate provides opportunities for children to understand, acquire, and use verbal and non-verbal means of communicating thoughts and feelings.—

— (D) Functional Area 7, Creative: Candidate provides experiences that stimulate children to explore and express their creative abilities.—

— (3) Competency Goal III: To support social and emotional development and provide positive guidance and discipline.—

— (A) Functional Area 8, Self: Candidate helps each child to know, accept, and take pride in himself/herself and to develop a sense of independence.—

— (B) Functional Area 9, Social: Candidate helps children learn to get along with others and encourages feelings of empathy and mutual respect among children and adults.—

— (C) Functional Area 10, Guidance and Discipline: Candidate provides an environment in which children can learn and practice behaviors which are appropriate and acceptable individually and in a group.—

— (4) Competency Goal IV: To establish positive and productive relationships with families.—

— (A) Functional Area 11, Families: Candidate maintains an open, friendly, and informative relationship with each child's family and encourages their involvement in the program.—

— (5) Competency Goal V: To ensure a well-run purposeful program responsive to participants' needs.—

— (A) Functional Area 12, Program Management: Candidate is a manager who uses all available resources to ensure an effective operation.— The candidate is a competent organizer, planner, and record keeper.—

— (6) Competency Goal VI: To maintain a commitment to professionalism.—

— (A) Functional Area 13, Professionalism: Candidate seeks out and takes advantage of opportunities to improve his/her competency both for professional growth and for the benefit of children and families.—

— (c) Term and Renewal.—

— (1) The Limited Permit may be initially issued for a term of no more than two years.— At the end of this two-year issuance period, the Limited Permit holder must have completed a minimum of six semester units in early childhood education/child development and/or general education.—

— (2) The Limited Permit holder is allowed two renewal periods of three years each.— During each three-year renewal period, the candidate must complete a minimum of nine semester units.— The Limited Permit holder must verify completion of 25 semester units in early childhood education/child development and general education to total the 40 semester units required for the Regular Instructional Permit by the end of the total eight-year issuance and renewal period.— If the Limited Permit

holder has not completed all of the requirements within the eight year time period, the Limited Permit expires.

(d) Authorization. A Limited Instructional Permit authorizes the holder to perform service in the care, development, and instruction of children in a child development program.

NOTE: Authority cited: Sections 8363(a), 8370 and 44225(b), Education Code. Reference: Sections 8363, 8370, 44252.7, 45361.5 and 51216, Education Code. (12-30-85; effective thirtieth day thereafter; Register 86, No. 1).

80115. Child Development Program Director Permit.

(a) Requirements. Each applicant for a Child Development Program Director Permit shall comply with the procedure prescribed for application in Section 80107 and shall meet one of the following options:

(1) All of the following:

(A) Completion of a baccalaureate degree with at least twenty-four (24) units of early childhood education or child development, including the core areas of child and/or human development: child, family and community; and programs and curriculum.

(B) Completion of six (6) additional semester units of coursework in the administration and supervision of child care and development programs. These six units must include at least two different courses. One course shall be introductory and one course shall be advanced, or they must be courses of different topical content.

(C) Completion of two (2) semester units of adult supervision coursework.

(D) Child Development Site Supervisor status, with at least one program year of site supervisor experience.

(2) An Administrative Services credential authorizing services in public schools in California, with twelve (12) semester units of early childhood education or child development coursework and a three (3) semester unit supervised field experience.

(3) A current credential issued by the Commission on Teacher Credentialing authorizing teaching service in a self contained classroom or a secondary teaching credential in home economics, with twelve (12) semester units of early childhood education or child development coursework, three (3) semester units in a supervised field experience, and six additional semester units in administration of early childhood education or child development.

(4) Completion of equivalent training approved by the Commission on Teacher Credentialing. Equivalent training may include traditional coursework taken through a regionally accredited institution of higher education and Commission approved non-college based training.

(b) Term and Renewal. The Child Development Program Director Permit shall be issued for five years and renewed for successive five year periods upon submission of all of the following:

(1) an application for renewal;

(2) required fees; and

(3) verification of completion of 105 hours of professional growth.

(c) Authorization. A Child Development Program Director Permit authorizes the holder to supervise a child care and development program operated in a single or multiple sites, provide service in the care, development, and instruction of children in a child care and development program, and serve as a coordinator of curriculum and staff development in a child care and development program.

NOTE: Authority cited: Sections 8363(a), 8370 and 44225(d), Education Code. Reference: Sections 8363, and 8370, Education Code.

80116. Procedures for Denial, Private Admonition, Public Repeoval, Suspension and Revocation.

All proceedings for the denial, private admonition, public reproval, suspension or revocation of permits authorizing service in children's centers or child development programs are governed by ~~44226 of the Education Code and Chapter 3 of Part VIII of these regulations commencing with Section 80300.~~ the laws and regulations that govern the denial, private admonition, public reproval, suspension or revocation of a credential.

NOTE: Authority cited: Sections 44225, 44242 and 44243, Education Code. Reference: Section 44244, Education Code.

COMMISSION ON TEACHER CREDENTIALING

Box 944270

Sacramento, California 94244-2700

(916) 445-7254



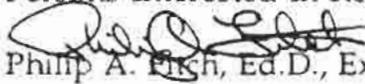
OFFICE OF THE EXECUTIVE DIRECTOR

POST IN A PUBLIC PLACE

PLEASE DISTRIBUTE THIS INFORMATION TO ANY INDIVIDUAL
YOU FEEL MIGHT BE INTERESTED.

DATE: May 9, 1995

TO: Persons Interested in Regulations Governing **Credential Waivers**

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

SUBJECT: Proposed Amendments to Sections 80120, 80121, 80122, 80123, and
80124. Proposed Addition of Section 80125.

The Commission on Teacher Credentialing conducted a public hearing on May 4, 1995, regarding the above referenced Title 5 Regulations, pertaining to Credential Waivers. As a result of the public hearing, changes have been made to Section 80125(b) to provide county offices of education with additional time to review waiver requests prior to submitting them to the Commission, and to Section 80125(d)(2)(B) to indicate that an uncontested denial is placed on the Committee agenda and brought to the full Commission during general session rather than placed directly on the agenda for the full Commission.

Responses to this notice will be accepted until 5 pm on **June 1, 1995**.

Below is a copy of the changed text, clearly showing the newly proposed amendments in bold. The added text is double underlined, while the ~~deleted~~ text is lined-through.

Section 80125(b) explains the time-line for submitting applications:

- (b) A waiver request should be submitted to the Commission prior to the applicant's beginning day of service. In those cases where an employing agency has an unanticipated need, the Commission will honor the beginning date of service listed on the waiver request as long as the request is submitted to the Commission in time to be reviewed within two Commission meetings of the beginning date of service. County offices of education approved under guidelines established by the Commission to review and submit credential waiver requests on

behalf of school districts within their jurisdictions may request such reviews within three Commission meetings of the beginning date of service.

Section 80125(d)(2)(B) explains the process by which uncontested denials are voted on by the full Commission:

If no timely reconsideration request is received, the recommendation for denial ~~appears on the general session agenda for action by~~ is presented to the full Commission in general session for action at the next scheduled Commission meeting. The full Commission may either vote to confirm denial which becomes effective immediately or vote to return the request to Committee for further consideration.

A copy of the complete set of regulations is attached. If you have any questions, please contact Bobbie Fite at the Commission Office: (916) 445-5857. For written responses, please use the attached form.

COMMISSION ON TEACHER CREDENTIALING

Box 944270
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OFFICE OF THE EXECUTIVE DIRECTOR

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

Title: CREDENTIAL WAIVERS (5/9/95)

15 Day Notice

Section Nos.: Proposed amendments to sections 80120,
 80121, 80122, 80123, and 80124

Proposed addition of section 80125

Response to the Attached Title 5 Regulations

If you disagree with the new proposed changes within the attached Title 5 regulations, please return this response form to the Commission office at the above address by 5 pm on June 1, 1995, the end of the 15-day public notice period.

- No, I do not agree with the new changes to the proposed Title 5 Regulations for the following reasons:
 (If additional space is needed, use the reverse of this sheet.)

Personal opinion of the undersigned, and/or

Organizational opinion representing: _____
 (Circle One) School District, County Schools, College, University, Professional Organization, Other

Signature: _____ Date: _____

Printed Name: _____

Title: _____ Phone: _____

Employer/Organization: _____

Mailing Address: _____

DIVISION VIII OF TITLE 5
CALIFORNIA CODE OF REGULATIONS

PROPOSED AMENDMENTS TO SECTIONS 80120, 80121,
80122, 80123, and 80124
PROPOSED ADDITION OF SECTION 80125
CONCERNING CREDENTIAL WAIVERS

80120. Purpose and Categories of Waivers.

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

- (a) Short-Term Waivers: Waivers to give local agencies one semester or less to address unanticipated, immediate, short-term organizational needs by assigning teachers who hold a basic credential to teach outside of their credential authorization, with the teacher's consent.
- (b) Variable Term Waivers: Waivers to provide applicants with additional time to complete the requirements for the credential that authorizes the service or to provide employing agencies time to fill the assignment with an individual who either holds an appropriate credential or qualifies under one of the available assignment options. This includes:
 - (1) Waivers to facilitate assignment in school programs addressing issues of educational reform or restructuring;
 - (2) Waivers to provide educators with additional time to complete a requirement; Waivers to employ or assign identified individuals when the employing agency finds there is an insufficient number of certificated persons who meet the specified employment criteria for the position;
 - (3) Waivers to temporarily exempt geographically isolated regions, which have severely limited ability to develop personnel, from specific state requirements for educator preparation, licensing or assignment; or
 - (4) Other temporary waivers granted at the discretion of the Commission.

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

80121. General Provisions Governing Waivers.

- (a) Definition of Terms. Terms that are used in Sections 80120 through 80124, inclusive, shall have the following meanings.
 - (1) The term "employing agency" means the school district,[;] county office of education,[;] private school; nonpublic, nonsectarian school or agency as defined in Education Code Sections 56365 and 56366; or postsecondary institution that submits a waiver application.
 - (2) "Applicant" means the individual for whom a waiver application is submitted.
 - (3) "SELPA" means a Special Education Local Planning Area.
 - (4) A "short-term waiver" is a temporary waiver with a term of one semester or less as described under Section 80120(a).

TITLE 5 REGULATIONS CONCERNING CREDENTIAL WAIVERS
TEXT OF THE REGULATIONS (5/9/95)

- (5) A "variable term waiver" is a temporary waiver with a term ~~of one year or longer~~ as specified by the Commission.
- (b) Waiver Service Restrictions. Except as specified by the Commission, service authorized by a waiver shall be restricted to the employing agency that submitted the waiver application and to the assignment specified on the waiver document.
- (c) Authorization to Apply for Waivers. Each application for a variable term waiver shall be submitted to the Commission on behalf of the individual ~~or individuals~~ identified in the application. The following may submit applications for variable term waivers:
- (1) public school districts in California;
 - (2) county offices of education or county superintendents of schools in California;
 - (3) postsecondary institutions;
 - (4) private schools in California (in particular, nonpublic, nonsectarian schools and agencies as defined in Education Code Sections 56365 and 56366); and

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

80122. ~~General Requirements for the Granting of~~ Variable Term Waivers.

~~The following requirements apply to all waivers. The application for a~~ variable term waivers shall include all of the following:

- (a) Name of Employing Agency. The application shall identify the employing agency seeking a waiver.
- (b) Section Number. The application shall cite the specific Education Code or Title 5 section number(s) for which a waiver is being requested. In the case of waivers for the purpose of assignment in school programs addressing issues of educational reform or restructuring, the application may instead identify the plan under which the reform ~~or restructuring~~ will take place and, if applicable, the date when the plan was approved by the employing agency or the appropriate state agency, whichever came later.
- (c) ~~Purpose of the Reason for~~ Reason for Waiver. The application shall summarize the ~~purpose of reason~~ the waiver is being requested, including ~~the language in the Education Code Section, or the provisions of Title 5, California Code of Regulations, for which the waiver is being requested, but not limited to, the specific employment criteria for the position that must be filled, a description of the efforts to locate and recruit individuals who hold the appropriate credential or who can be assigned under one of the available assignment options, and a description of the efforts the employing agency has made to establish alternative training options such as co-sponsoring internships with institutions of higher education or establishing a District Intern program.~~
- (d) Proposed Solution ~~and Justification~~. The application shall describe how the waiver request will remedy the situation, give the rationale for the request including what makes the applicant the best candidate to fill the position, and describe any negative effect(s) that are likely to occur if the request is not granted.

- (e) Identification of Applicant ~~or Applicants~~. The application shall identify, by name, date of birth and Social Security number, the applicant ~~or applicants~~ for whom the waiver is ~~intended~~ requested.
- (f) If the applicant does not already have fingerprint clearance on file with the Commission, the application must include two fingerprint cards and the completed Application for Character and Identification Clearance (form 41-CIC, rev 11-93), and appropriate fee(s).
- (g) Requirements and Commitment. The request shall:
- (1) list the requirement(s) that the applicant must complete to be eligible for the credential which authorizes the service being requested and the anticipated date(s) of completion of those requirement(s).
 - (2) include a commitment by the applicant, in the form of an original signature, to pursue a course of study leading to full certification, with the understanding that no subsequent waiver will be requested should the applicant fail to verify completion of requirement(s) leading toward the credential or completion of the alternative requirement(s) specified in the employing agency's approved Plan to Develop Fully Qualified Educators.
 - (3) list the name and/or position of any person assigned to provide support and assistance to the applicant while he or she is serving on the waiver, and
 - (4) state that the employing agency has made a commitment to support and assist the applicant, as feasible, in completing the credentialing requirement(s).
- (h) Additional Requirements
- (1) To fill a position to serve special education students, the employing agency must include the SELPA among those receiving notice of the intent to request a waiver.
 - (2) Waiver requests from geographically isolated regions with severely limited ability to develop personnel shall include a Plan to Develop Fully Qualified Educators pursuant to Section 80026.4, or an explanation as to why such a plan is not feasible.
- (g) (i) Effective Date and Proposed Duration. The application shall specify the effective beginning date of service on the waiver and the date when the waiver will cease to be needed.
- (j) Public Notice. The request shall include verification that a notice of intent to employ the applicant in the position identified has been made public as follows:
- (1) If the waiver request is being submitted by a public school district, it must include a copy of the agenda item presented to the governing board of the district in public meeting with a signed statement from the superintendent, or his or her designee, that the item was acted upon favorably.
 - (2) If the waiver request is being submitted by a county office of education, state operated school, or nonpublic, nonsectarian school or agency, it must include a dated copy of the notice that was posted at least 72 hours before the position was filled and a signed statement from the

superintendent or administrator or his or her designee that there were no objections to the waiver request.

- (h) ~~(k)~~ Signatures. The application shall include the signature of the district personnel administrator or superintendent or the county superintendent if service will be provided in a county-operated school or the administrator of the state-operated school or of the nonpublic, nonsectarian school or agency, or his or her designee certifying that the information provided is accurate and complete.

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

80123. Requirements for ~~Specified Categories of~~ Short-Term Waivers.

- (a) Local Approval of Short-Term Waivers. Employing agencies may grant a short-term waiver as described under Section 80120(a) 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 Section 80122 for this type of waiver shall be forwarded to the County Office of Education pursuant to Education Code Section 44258.9. 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 Section 80120-80123, California Code of Regulations.~~
- (b) ~~Applications for Variable Term Waivers shall be submitted to the Commission by the employing agency or, if the applicant is not employed by an employing agency, by the individual, as follows:~~
- (1) ~~Waivers to provide educators additional time to complete a requirement shall, in addition to the requirements specified under Section 80122, provide the following:~~
 - (A) ~~the credential requirement(s) that must be completed;~~
 - (B) ~~a commitment by the applicant, in the form of a signature, to complete the requirement, with the proposed date by which the requirement is to be completed;~~
 - (C) ~~the name and position of any person assigned to provide support and assistance to the applicant while he or she is serving on the waiver; and~~
 - (D) ~~a commitment by the employing agency to support and assist the applicant, as feasible, in completing the credentialing requirement.~~
 - (2) ~~Waivers to temporarily exempt, geographically isolated regions, with severely limited ability to develop personnel, from certain state requirements for educator preparation and licensing shall, in addition to the requirements specified under Section 80122, include a Plan to Develop Fully Qualified Educators pursuant to Section 80026.4 of Title 5, or a brief explanation as to why such a plan cannot be submitted.~~
 - (3) ~~Applications for a waiver for the purpose of reform or restructuring shall meet the requirements set forth in Section 80122.~~
 - (4) ~~Applications for other temporary waivers granted at the discretion of the Commission shall meet the requirements set forth in Section 80122.~~

- (e) ~~Applications for a Variable Term Waiver shall include a statement signed by the applicant stipulating that to renew the waiver, the applicant must pursue a course of study leading to full certification.~~
- (b) Notification of County Offices. Pursuant to Education Code Section 44258.9, school districts using a short-term waiver shall provide the following information to the county office of education:
- (1) Identification of the Applicant. The notification shall identify, by name and Social Security number, the individual for whom the short-term waiver was issued.
 - (2) Authorization and Assignment. The notification shall specify the credential that the individual holds and the assignment that the individual is filling as a result of the short-term waiver.
 - (3) Reason for Waiver. The notification shall explain the situation that led to the need for the short-term waiver.
 - (4) Effective Date and Proposed Duration. The notification shall specify the beginning and ending dates of service on the waiver.
 - (5) Other. The county office of education may require other information as necessary.
- (c) Notification of the Commission. Pursuant to Education Code Section 44258.9(d), county offices of education shall report the use of short-term waivers as described in subsection (b) above in school districts and in county-operated schools to the Commission annually. In addition, the Commission may request information concerning the use of short-term waivers from other employing agencies.
- (d) 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 Sections 80120 or 80123.

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

80124. Specific Requirements for the Renewal of a Request for a Subsequent Variable Term Waivers for a Specific Applicant.

- (a) Applications for the renewal of A request for a subsequent variable term waiver for a specific applicant in the same assignment shall meet the requirements of Section 80122 and must include verification that the applicant has fulfilled his or her commitment to pursue the completion of requirements leading toward the credential which authorizes the service or has completed the alternative requirements specified in the employing agency's approved Plan to Develop Fully Qualified Educators.
- (b) ~~Applications for the Renewal of a Variable Term Waiver for the Purpose of Temporarily Exempting Educators in Geographically Isolated Regions shall include a Plan to Develop Fully Qualified Educators pursuant to Section 80026.4 of Title 5, or a brief explanation as to why such a plan cannot be submitted.~~

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

80125. Submitting Requests for Variable Term Waivers: Approvals and Denials.

- (a) Requests for variable term waivers must be submitted on a form provided by the Commission (form WV1) and must include written documentation supporting the waiver, including such items as dated copies of announcements of the vacancy, a job description detailing the specific employment criteria for the position, official transcripts, the original foreign transcript evaluation letter, examination score reports, and verifications of experience.
- (b) A waiver request should be submitted to the Commission prior to the applicant's beginning day of service. In those cases where an employing agency has an unanticipated need, the Commission will honor the beginning date of service listed on the waiver request as long as the request is submitted to the Commission in time to be reviewed within two Commission meetings of the beginning date of service. County offices of education approved under guidelines established by the Commission to review and submit credential waiver requests on behalf of school districts within their jurisdictions may request such reviews within three Commission meetings of the beginning date of service.
- (c) Waiver requests are reviewed by Commission staff and may be returned for additional information or clarification before the request is scheduled for the Appeals and Waivers Committee agenda. If the applicant qualifies for a credential or permit that authorizes the service, the waiver request may be returned for an application and fee for the credential or permit.
- (d) The Appeals and Waivers Committee may vote to recommend either approval or denial of a waiver request, or may postpone the decision until the next meeting if additional information is needed.
 - (1) If the Committee votes to recommend approval of a waiver request, the recommendation is presented to the full Commission in general session during that meeting for final vote. The full Commission may either vote to confirm approval which becomes effective immediately or vote to return the request to the Committee for further consideration.
 - (A) After the waiver is approved, and following the conclusion of any fitness review that may be performed by the Legal and Professional Standards Division, a numbered Waiver Approval Letter is issued. The Waiver Approval Letter identifies the applicant's credential goal and authorizes the service appropriate to that goal.
 - (2) If the Committee votes to recommend denial of a waiver request, the following procedure is initiated:
 - (A) The employing agency is sent a letter explaining the reasons for the Committee's recommendation to deny and affording the employing agency an opportunity to submit additional written information in support of the waiver request that was not available at the time the request was originally submitted. Resubmission must be received in the Commission office by the printed agenda cut-off date for the next Commission meeting (approximately two weeks following the mailing of the letter) or no reconsideration will be presented to the Committee.

- (B) If no timely reconsideration request is received, the recommendation for denial appears on the general session agenda for action by is presented to the full Commission in general session for action at the next scheduled Commission meeting. The full Commission may either vote to confirm denial which becomes effective immediately or vote to return the request to Committee for further consideration.
- (C) If timely reconsideration is requested, the request appears again in the Appeals and Waivers Committee agenda. The Committee may vote to recommend approval or may vote to sustain its recommendation of denial. The Committee's recommendation is presented to the full Commission in general session during that meeting for final vote.
- (D) A final notice of denial is mailed to the employing agency, the applicant, and the county office of education, if applicable.

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