

COMMISSION ON TEACHER CREDENTIALING

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OFFICE OF THE EXECUTIVE DIRECTOR

July 29, 1996

96-9614

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

FROM: Sam W. Swofford, Executive Director

SUBJECT: Approval of Regulations Governing Validation of Service
Rendered Without a Valid Credential

The proposed changes to Title 5 Sections 80600, 80603, and 80606, and the addition of Section 80601 concerning validation of service rendered without a valid credential have been approved by the Office of Administrative Law and filed with the Secretary of State. The changes become effective September 1, 1996. The text of the regulations is attached. The major changes are explained below.

Overview of the Changes

The major purpose of the changes to the regulations is to specify the circumstances under which validation of service may be requested, thereby making the system more equitable to those who apply for their credentials on time. These regulations:

- clarify the procedures for requesting validation of service including specifying that the request must be made by the chief administrative officer of a public school district or county office of education;
- clarify the requirements which must be met in order to qualify for validation of service;

- specify the circumstances under which the Commission will deny a request for validation of service including:
 - a) the applicant was not eligible for the specific type and term of the credential which has now been issued,
 - b) the applicant was only eligible for an emergency permit or waiver,
 - c) the applicant was only eligible for an appeal to extend the credential,
 - d) the service was rendered prior to application for his or her initial California credential,
 - e) the period requiring validation is over six months, and
 - f) the request is submitted more than six months after the last date of the period requiring validation;
- provide for a 30-day response period if a request is returned to the employer for further information; and
- specify the procedures which will be followed once it has been determined whether the request will be approved or denied.

Validation of Service Request Form

The form for requesting validation of service (CL-224) has been revised. A copy of the new form is attached.

The most significant change to the form is in Section A which contains the majority of the required information and must be completed by the employing agency. When providing information regarding the position, type of certification required, and period of service requiring validation, please be specific.

The applicant will complete Section B indicating approval of the employer's request for validation of service, provide the necessary personal information, and affirm that he or she was eligible and has now applied for or been issued the required certification.

Section C of the form must be completed by the county office of education and must indicate whether or not a Temporary County Certificate (TCC) was issued for the period requiring validation. If a TCC was issued it may stand as the legal document of record and the Commission will not process the validation of service request.

Questions

If you have questions about the changes to the regulations, you may contact our Information Services Office at (916) 445-7256 any workday afternoon between 12:30 and 4:30 or by fax at (916) 445-7255 or by E-Mail at CREENTIALS@CTC.CA.GOV.

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

**VALIDATION OF SERVICE RENDERED WITHOUT A VALID
CREDENTIAL**

Title 5 §80600. General Provisions Governing Validation of Service

The provisions of this section shall apply to all validation of service requests specified in Sections 80601, 80603, and 80604:

- (a) Terms that are used in Sections 80601, 80603, and 80604, inclusive, are defined as follow:
 - (1) The term “credential” means any credential, life diploma, permit, or document issued by, or under the jurisdiction of, the Commission which entitles the holder thereof to perform services for which certification qualifications are required.
 - (2) “Applicant” is the individual for whom a validation of service request is submitted.
 - (3) The term “employing agency” means the school district or county office of education which submits a validation of service request to the Commission.
 - (4) The term “temporary county certificate” refers to the definition in Education Code §44332 for the certificate issued by a county office of education for the purpose of authorizing salary payments to certified employees whose credential applications are being processed.
- (b) The following entities may submit validation of service requests. Each request shall be submitted on behalf of the applicant.
 - (1) The chief administrative officer of a public school district in California.
 - (2) The chief administrative officer of a county office of education in California.

NOTE: Authority cited: Section 45036, Education Code. Reference: Section 44332, Education Code.

Title 5 §80601. General Requirements For Validation of Service Requests.

When an employing agency finds that an individual has rendered service in a position requiring certification during a period in which the individual did not either hold the appropriate certification or a temporary county

certificate pursuant to Education Code §44332 to cover the service, the employing agency may submit a validation of service request to the Commission.

The following requirements apply to all requests for validation of service. Prior to approval, Commission staff shall verify that the provisions of Education Code §45036 have been met.

- (a) Staff shall determine whether the following conditions have been met:
 - (1) At all times during the period of service in question, the applicant had the necessary qualifications for the credential required by law for the position in which the service was rendered.
 - (2) A valid credential required for such position has been issued to the applicant by the Commission after the period of service to be validated was rendered.
- (b) Each validation of service request must be submitted on form CL-224 (revised 1-96) provided by the Commission. The information on the form will include the following:
 - (1) The name, address, social security number, and birthdate of the applicant.
 - (2) The name of the employer, the position the applicant held during the period requiring validation, the specific type of certification required for that position, and the specific dates of service requiring validation.
 - (3) The employing agency must indicate the appropriate reason for the request for validation on the form and/or include a statement why the applicant was allowed to begin service and continue to serve without having the appropriate credential or temporary county certificate. The explanation either on the form or a separate statement must be signed by the chief administrative officer of the district for which the service was rendered or the chief administrative officer of the county if the service was rendered for the county office of education.
 - (4) The applicant must verify that he or she has applied for or has been issued the credential required for the position for which the validation of service request has been made, the facts contained in the request are true, and the applicant approves of the employer's request for validation of service.
 - (5) The chief administrative officer or an appropriate representative of the chief administrative officer of the county office of education must verify whether or not a temporary county certificate was issued to cover the period of service in question.
- (c) Supporting materials necessary to verify that the individual qualified for the appropriate certification must be submitted along with the

request for validation of service form CL-224. Such materials may include but not be limited to official transcripts, verification of the date of program completion from the authorized person at a Commission-approved college or university, or original letters of experience.

NOTE: Authority cited: Section 45036, Education Code. Reference: Sections 45036 and 44332, Education Code.

Title 5 §80603. Ineligibility for Approval

The Commission will not approve a validation of service request if one or more of the following conditions have been determined to be true.

- (a) The applicant was not eligible for the credential authorizing the service performed during the period for which the validation of service is sought.
- (b) The applicant was not eligible for the specific type and term of the credential he or she has been issued as specified in section 80601(a)(2).
- (c) The applicant was only eligible for an emergency permit as specified in Sections 80023, 80025, and 80027, or a waiver document as specified in Section 80121 that would authorize the service performed during the period the service was rendered.
- (d) The applicant did not meet the academic requirements for renewal of the required credential and only may have qualified to remain in the position based on an appeal per Title 5, Section 80523 to extend the valid date of the credential, an emergency permit as specified in Sections 80023, 80025, and 80027, or a waiver document as specified in Section 80121.
- (e) The service was rendered prior to the date the applicant made application to the Commission for his or her initial California credential which authorizes service.
- (f) The period of service requested to be validated exceeded six months unless the employing agency verifies and submits documentation of compelling circumstances why the request is for more than a six month period. Such circumstances as clerical oversight or failure on the part of the applicant to submit an application including verification of completion of requirements to the Commission or the employing agency will not be accepted.
- (g) The validation of service request is received by the Commission more than six months after the last date of the period requiring validation.

NOTE: Authority cited: Section 45036, Education Code. Reference: Section 45036, Education Code.

Title 5 §80604. Determination of Approval.

- (a) If all of the conditions set forth in Sections 80601 and 80603 have been confirmed the request for approval shall be reported to the Commission by way of the regular agenda process at its earliest meeting. At that meeting the Commission shall determine whether the rendering of the service should be approved. If approved, the Executive Director of the Commission shall notify the applicant, the school district superintendent, and the county superintendent of schools that the rendering of such service has been approved in accordance with Education Code Section 45036.
- (b) When it cannot be determined from the materials submitted whether or not an applicant has met the conditions specified in Section 80601(a) or that the conditions specified in Section 80603 do not apply, the validation of service request will be returned to the employing agency for additional information. If the required evidence is supplied within 30 days from the mailing of that notice, the approval procedure shall be implemented as specified in subsection (a) of this section.
- (c) If the required evidence referred to in section 80604(b) is not returned to the Commission within such 30-day period, the employing agency will be notified in writing that the validation of service request has been denied. A copy of the denial letter will be sent to the county superintendent of schools so that the superintendent may fulfill his or her responsibilities under Education Codes §44330, §45034, and §44258.9.
- (d) If any of the conditions set forth in Section 80601(a) have not been met or any of the conditions set forth in Section 80603 apply, staff will send a letter to the employing agency stating that the request has been denied. A copy of the denial letter will be sent to the county superintendent of schools so that the superintendent may fulfill his or her responsibilities under Education Codes §44330, §45034, and §44258.9.

NOTE: Authority cited: Section 45036, Education Code. Reference: Sections 45036, 44330, 45034, and 44258.9, Education Code.

Request For Approval Of The Rendering Of Services Without A Valid Credential

A. Employing Agency Statement of Reasons

School District: _____

County: _____

Position: _____

Type of Certification Required for the Position (Please be specific): _____

Period Of Service: From: _____ To: _____
M/D/Y M/D/Y

During this period, the applicant listed in section B below held the following credentials (if none, so state):

I declare under penalty of perjury that the reason for allowing this employee to serve without proper certification was: (Use separate piece of paper if additional room is needed.)

Date Signature of Chief Administrative Officer of Employing Agency

B. Applicant's Statement

I, the undersigned, approve this request by the employing agency listed in Section A for the validation of the rendering of the service described above and request approval by the Commission on Teacher Credentialing. I declare under penalty of perjury that the following facts are true to the best of my knowledge.

Name: _____

Address: _____
Street City State Zip

Social Security #: _____ Birth Date: _____

(1) At all times during the period I had, in fact, the necessary qualifications for the credential required by law for the position for which the service was rendered (including CBEST, unless exempt).

(2) Check either (a) or (b) whichever applies:

- I have applied for a credential required for such position.
 The credential required for this position has been issued since the last day of the period specified above.

Date Signature of Person Rendering the Service

C. County Approval

- TCC has been issued to cover the period requiring validation
 TCC has not been issued to cover the period requiring validation

NOTE: If a TCC was issued to cover the period requested, it may serve as the legal document of record and the employing agency does not need to submit a validation of service request.

Date Signature of County Superintendent of Schools or Designee