

**CALIFORNIA COMMISSION ON TEACHER CREDENTIALING**

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OFFICE OF THE EXECUTIVE DIRECTOR

Date: December 7, 2001 01-0018

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

From: Sam W. Swofford, Ed.D., Executive Director

Subject: Approval of Amendments to Title 5 Regulations Pertaining to Section 80026 Declaration of Need for Fully Qualified Educators and Section 80027 Limited Assignment Multiple or Single Subject Teaching Permit

The Office of Administrative Law (OAL) permanently approved amendments to the California Code of Regulations, Title 5, Section 80026, Declaration of Need for Fully Qualified Educators and Section 80027, Limited Assignment Multiple or Single Subject Teaching Permit on November 19, 2001. These regulations were initially approved on an emergency basis and have been effective since June 15, 2001.

The regulations make a number of changes to the requirements for the Limited Assignment Multiple or Single Subject Teaching Permit. First, the term "emergency" was dropped from the title because this permit is an assignment option for a credentialed teacher rather than an emergency with a non-fully prepared teacher. Second, an employing agency must submit a Declaration of Need for Fully Qualified Educators by estimating the number of teachers the agency reasonably expects to employ during the school year on a limited assignment permit. Prior to these regulation changes an employing agency needed to request governing board approval for each limited assignment permit. Third, the amended regulations have eliminated the need for the applicant to attain permanent status as defined in Education Code Section 44929.21 or 44929.22 or 44929.23. However, the employing district must now assign an experienced educator in the subject area of the limited assignment permit. The experienced educator must have completed three years of full-time classroom experience in the subject area of the permit.

Fourth, agencies requesting Single Subject Limited Assignment Permits will be restricted to the 13 statutory subjects found in Education Code Section 44257. Those subjects are agriculture, art, business, English, foreign language, health science, home economics, industrial and technology education, mathematics, music, physical education, science

(biological science, geosciences, physics, and chemistry) and social science. In the past an employing agency could request any subject to be listed on the permit.

Fifth, the consent of the teacher is still required, however the written statement verifying consent of the teacher is now maintained with the employing agency rather than filing it with the Commission.

### **Implementation**

Included with the Coded Correspondence 01-0009 announcing the implementation of the emergency regulations was an amended Declaration of Need for Fully Qualified Educators. That Declaration of Need was to be used on an interim basis for the current school year. The Declaration of Need has been updated to include a number of changes including the changes made for the Limited Assignment regulation changes. Please see Coded Correspondence 01-0016 for the revised Declaration or you can download the revised form at the Commission's web page [www.ctc.ca.gov](http://www.ctc.ca.gov), under the Credential Information section. This new Declaration of Need form must be used when submitting the Declaration for the 2002-2003 school year.

### **Limited Assignment vs. Emergency Permits/Credential Waivers**

These regulations were approved to reduce the number of emergency permits and credential waivers. The Commission strongly suggests that employing agencies utilize the limited assignment permit rather than the emergency permit whenever possible. Employing agencies that request credential waivers for individuals that qualify for the limited assignment permit will be asked to resubmit the application and apply for the permit.

If you have further questions, please contact the Information Services Unit toll-free at (888) 921-2682 between 8 a.m. and 5 p.m., weekdays or by e-mail at <[credentials@ctc.ca.gov](mailto:credentials@ctc.ca.gov)>.

**Proposed Regulations for Section 80026, Division VIII  
of Title 5 California Code of Regulations**

**FINAL APPROVED REGULATIONS**

**§80026 Declaration of Need for Fully Qualified Educators**

Submission of a Declaration of Need for Fully Qualified Educators by the employing agency shall be a prerequisite to the issuance of any emergency permit and/or limited assignment permit for that agency. Charter schools as defined in Education Code Section 47600 shall be exempt from submitting a Declaration of Need for Fully Qualified Educators. The Declaration of Need for Fully Qualified Educators by an employing agency shall be valid for no more than twelve months, and shall expire on the June 30 following its submission to the Commission, unless the employing agency has an approved Plan to Develop Fully Qualified Educators which specifies a period of validity longer than twelve months. The Declaration of Need for Fully Qualified Educators shall be submitted to the Commission on a form to be provided by the Commission, and shall include all of the following information:

- (a) Estimated Need: This shall include the title(s) and number of each type of emergency permit and limited assignment permit which the employing agency estimates, based on previous year actual needs and projections of enrollment, it will need during the year covered by the Declaration. In addition, it shall include each subject to be listed on Emergency Single Subject and Limited Assignment Single Subject Teaching Permits and the target language on Emergency Multiple Subject or Single Subject Teaching Permits with a Bilingual, Crosscultural, Language and Academic Development (BCLAD) Emphasis or on Emergency BCLAD Permits. The Declaration of Need for Fully Qualified Educators shall be revised, when the number of emergency permits and limited assignment permits needed exceeds the estimate by ten percent, by the governing board or superintendent/administrator of the employing agency, as specified in subsection (e) below.
- (b) Efforts to Recruit Certified Personnel. This shall include a brief description of efforts that the employing agency has undertaken to locate and recruit individuals who hold the needed credentials, such as dated copies of written announcements of its vacancy or vacancies which were mailed to college or university placement centers.
- (c) Efforts to Establish Alternative Training Options. The Declaration shall:
  - (1) identify the names of institutions of higher education co-sponsoring internships or other certification programs with the employing agency or, if no such programs exist, briefly explain why;
  - (2) if the employing agency participates in pre-internship or internship programs, estimate the number which the employing agency reasonably expects to employ during the year covered by the Declaration; and
  - (3) indicate whether the employing agency has considered developing a “Plan to Develop Fully Qualified Educators” in cooperation with other education agencies in the region pursuant to Section 80026.4, or if not, briefly explain why.

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

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

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

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

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

**Proposed Regulations for Section 80027, Division VIII  
of Title 5 California Code of Regulations**

**FINAL APPROVED REGULATIONS**

**§80027. Limited Assignment Multiple or Single Subject Teaching Permit.**

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

(1) The employing agency must submit a Declaration of Need for Fully Qualified Educators that satisfies the provisions of Section 80026.

(2) Applicant is currently employed by the local governing board requesting such assignment.

(3) Applicant holds a valid California teaching credential based on a baccalaureate degree and a professional preparation program, including student teaching or the equivalent.

(4) Applicants who have not obtained permanent status as defined in Education Code 44929.21 or 44929.22 or 44929.23 shall be assigned an experienced educator by the employing agency in the subject area of the Limited Assignment Multiple or Single Subject Teaching Permit who has completed 3 years of full-time classroom teaching experience in that subject area.

(5) The Limited Assignment Single Subject Teaching Permit may be issued in the subject areas listed in Education Code Section 44257.

(6) The employing agency must keep on file a written statement verifying consent of the teacher to serve on the Limited Assignment Multiple or Single Subject Teaching Permit.

(7) The applicant submits a completed Application for Credential Authorizing Public School Service (form 41-4, rev. 8/00), and the fee(s) as specified in Section 80487.

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

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

(2) Applicant holds a valid California teaching credential based on a baccalaureate degree and a professional preparation program, including student teaching or the equivalent.

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

(A) A completed Application for Credential Authorizing Public School Service (form 41-4, rev. 8/00).

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

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

(4) The employing agency must submit a Declaration of Need for Fully Qualified Educators that satisfies the provisions of Section 80026.

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

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

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

(6) An individual may renew a Limited Assignment Multiple or Single Subject Teaching Permit in any one specific subject only twice during his or her lifetime.

(7) The employing agency must keep on file a written statement verifying consent of the teacher to serve on the Limited Assignment Multiple or Single Subject Teaching Permit.

(c) Authorization:

(1) A Limited Assignment Multiple Subject Teaching Permit authorizes the same service as a Multiple Subject Teaching Credential.

(2) A Limited Assignment Single Subject Teaching Permit authorizes the same service as a Single Subject Teaching Credential in the authorized field(s) listed on the permit.

(d) The Limited Assignment Multiple or Single Subject Teaching--Permit shall be valid for no less than one year and expires one calendar year from the first day of the month immediately following the date of issuance.

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