



CODED CORRESPONDENCE

DATE: June 25, 2009	NUMBER: 09-11
TO: All Individuals and Groups Interested in the Activities of the Commission on Teacher Credentialing	FROM: Dale A. Janssen Executive Director Commission on Teacher Credentialing
SUBJECT: Repeal, Deletion, and Amendment of 5 California Code of Regulations	

Summary

The Office of Administrative Law approved amendments, deletions, and repeals of 5 California Code of Regulations (CCR) sections that have no regulatory effect (reference 1 CCR §100) and fall within the purview of the Commission. These amendments remove sections not in use, provide consistent use in terminology, and align regulations with statutory changes.

Key Provisions

The justification for each of the amendments, deletions, and repeals is as follows:

§80023. Types of Emergency Permits

Effective January 1, 2007, the addition of Education Code (EC) §44265.3 changed the name of the Clinical and Rehabilitative Services Credential in Language, Speech and Hearing to Speech-Language Pathology Services Credential. The section was amended to reflect this change for the emergency permit.

Amendments to EC §44269 changed the name of the Library Media Teacher Services Credential to Teacher Librarian Services Credential. The section was amended to reflect this change for the emergency permit.

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

This section was repealed as Emergency Specialist Instruction Permits shall not be reissued after June 30, 2001.

§80024.4. Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, including the Special Class Authorization and §80024.5. Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing
Effective January 1, 2007, the addition of EC §44265.3 changed the name of the Clinical and Rehabilitative Services Credential in Language, Speech and Hearing to Speech-Language Pathology Services Credential. The two sections were amended to reflect this change for the emergency permits.

The Commission discontinued initial issuance of this permit on July 1, 2000. Subsections pertaining to the initial issuance of language, speech and hearing permits were deleted.

§80024.6. Emergency Library Media Teacher Services Permit
Amendments to EC §44269 changed the name of the Library Media Teacher Services Credential to Teacher Librarian Services Credential. The section was amended to reflect this change for the emergency permit.

§80025.5. Emergency Designated Subjects Vocational Education Permit for 30-Day Substitute Teaching Service
EC §44340 requires the submission of identification (fingerprint) cards with each application. However, the Department of Justice now requires submission of fingerprints via livescan (electronic process) and no longer accepts fingerprint cards. Information on livescan was added and language pertaining to fingerprint cards and forms was deleted.

Language pertaining to professional growth requirements was deleted pursuant to amendments to EC §44277(a) that removed professional growth and successful service requirements for renewal of teaching and services credentials.

§80026. Declaration of Need for Fully Qualified Educators
Funding for the Pre-Internship Program was eliminated by the Governor in the 2004-05 state budget. As a result, the Commission discontinued initial issuance and reissuance of Pre-Internship Permits effective July 1, 2004. Pre-internships were deleted from the section.

All references to the Plan to Develop Full Qualified Educators were deleted as after January 1, 2004 these plans shall no longer be offered.

§80026.1. Information to Applicants
Deleted the reference to the Plan to Develop Full Qualified Educators since the referenced plans shall no longer be offered effective January 1, 2004.

§80026.4. Plan to Develop Fully Qualified Educators
This section was repealed since the referenced plans shall no longer be offered effective January 1, 2004.

§80026.6. Requirements for the Reissuance of Emergency Permits
Deleted subsection (a)(6)(B) and included/renumbered subsection (a)(6)(A) in subsection (a)(6) as effective January 1, 2004 the Plan to Develop Fully Qualified Educations shall not be offered.

§80034.5. Holder of Designated Subjects Full-Time Vocational Education Teaching Credential or Designated Subjects Full-Time Adult Education Teaching Credential Serving as a Substitute

Senate Bill 52 (Chap. 520, Stats. 2007) amended EC §§44260 and 44260.1 and changed the name of Designated Subjects Full-Time Vocational Education Teaching Credentials to Designated Subjects Full-Time Career Technical Education Teaching Credentials for initial issuance of documents effective October 12, 2007. Senate Bill 1104 (Chap. 576, Stats. 2008) further amended EC §§44260 and 44260.1 and removed the ‘full-time’ and ‘part-time’ designators for career technical education teaching credentials effective January 1, 2009. Sections were amended to include the new title of the documents.

§80042. Specific Requirements for Programs of Personalized Preparation for the Designated Subjects Vocational Education Teaching Credential and §80042.5. Timeline for Submission of Revised Programs of Personalized Preparation for the Designated Subjects Vocational Education Teaching Credential

Senate Bill 52 (Chap. 520, Stats. 2007) amended EC §§44260 and 44260.1 and changed the name of Designated Subjects Vocational Education Teaching Credentials to Designated Subjects Career Technical Education Teaching Credentials for initial issuance of documents effective October 12, 2007. As a result, the Commission no longer initially issues vocational education credentials and will not approve new vocational education preparation programs. These obsolete sections were repealed.

§80569. Professional Growth Requirements for Designated Subjects Vocational Education Teaching Credentials

One of the provisions of Senate Bill 1209 (Chap. 517, Stats. 2006) that took effect on January 1, 2007 shifted the professional growth requirements from a state requirement for credential renewal to local employing agencies. This obsolete section pertaining to professional growth requirements was repealed.

Important Date:

The amendments took effect upon filing with the Secretary of State on May 11, 2009.

Background:

Commission staff reviewed the Title 5 sections that pertain to the issuance of credentials and permits to determine which sections were outdated or obsolete due to Commission action and changes in the Education Code. During the review, Commission staff identified 14 sections that required amendments, deletions or repeals that had no new regulatory effect.

Contact Information:

Contact the Commission’s Information Services Unit by telephone at 1-888-921-2682, Monday through Friday from 1:00 pm to 4:45 pm or by e-mail at credentials@ctc.ca.gov.

CALIFORNIA CODE OF REGULATIONS
TITLE 5. EDUCATION
DIVISION 8. COMMISSION ON TEACHER CREDENTIALING

§ 80023. Types of Emergency Permits.

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

- (a) Emergency Multiple Subject Teaching Permit.
- (b) Emergency Multiple Subject Teaching Permit with a Bilingual, Crosscultural, Language and Academic Development (BCLAD) Emphasis.
- (c) Emergency Multiple Subject Teaching Permit with a Crosscultural, Language and Academic Development (CLAD) Emphasis.
- (d) Emergency Single Subject Teaching Permit with an authorization to teach one or more of the subjects identified in Education Code Section 44282.
- (e) Emergency Single Subject Teaching Permit with a Bilingual, Crosscultural Language and Academic Development (BCLAD) Emphasis with an authority to teach one or more subjects identified in Education Code Section 44282.
- (f) Emergency Single Subject Teaching Permit with a Crosscultural, Language and Academic Development (CLAD) Emphasis with an authority to teach one or more subjects identified in Education Code Section 44282.
- (g) Emergency Speech-Language Pathology Services Permit.
- (h) Emergency Speech-Language Pathology Services Permit, including the Special Class Authorization.
- (i) Emergency Teacher Librarian Services Permit.
- (j) Emergency Bilingual, Crosscultural, Language and Academic Development (BCLAD) Permit.
- (k) Emergency Crosscultural, Language and Academic Development (CLAD) Permit.
- (l) Emergency Education Specialist Instruction Permit: Mild/Moderate Disabilities.
- (m) Emergency Education Specialist Instruction Permit: Moderate/Severe Disabilities.
- (n) Emergency Education Specialist Instruction Permit: Physical and Health Impairments.
- (o) Emergency Education Specialist Instruction Permit: Deaf and Hard-of-Hearing.
- (p) Emergency Education Specialist Instruction Permit: Visual Impairments.
- (q) Emergency Education Specialist Instruction Permit: Early Childhood Special Education.

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(d), 44225(g), 44265 and 44300, Education Code.

§ 80024.4. Emergency Speech-Language Pathology Services Permit, Including the Special Class Authorization.

- (a) To reissue an Emergency Speech-Language Pathology Services Permit, including the Special Class Authorization, the applicant and the employing agency must meet the requirements for reissuance of emergency permits specified in Section 80026.6.
- (b) Authorization. An Emergency Speech-Language Pathology Services Permit, including the Special Class Authorization, authorizes the same service as a Speech-Language Pathology Services Credential, including the Special Class Authorization.

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(d), 44225(g), 44265.3 and 44300, Education Code.

§ 80024.5. Emergency Speech-Language Pathology Services Permit.

- (a) To reissue an Emergency Speech-Language Pathology Services Permit, the applicant and the employing agency must meet the requirements for reissuance of emergency permits specified in Section 80026.6.
- (b) Authorization. An Emergency Speech-Language Pathology Services Permit authorizes the same service as a Speech-Language Pathology Services Credential.

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(d), 44225(g), 44265.3 and 44300, Education Code.

§ 80024.6. Emergency Teacher Librarian Services Permit.

- (a) Requirements for the initial issuance of the Emergency Teacher Librarian Services Permit are as follows:
 - (1) Persons holding a valid California Teaching Credential must verify all of the following:
 - (A) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.
 - (B) The applicant must possess a valid California Teaching Credential based on a baccalaureate degree and a professional preparation program, including student teaching.
 - (C) The applicant must provide a written affirmation of his or her intent to complete the requirements set forth in Section 80026.6 during the period of the permit.
 - (2) Persons holding or eligible for a valid service credential from a state other than California must verify all of the following:
 - (A) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.
 - (B) The applicant must verify possession of or eligibility for an out-of-state credential or certificate authorizing service as a school librarian.
 - (C) The applicant must provide a written affirmation of his or her intent to complete the requirements set forth in Section 80026.6 during the period of the permit.
- (b) To reissue an Emergency Teacher Librarian Services Permit, the applicant and the employing agency must meet the requirements for reissuance of emergency permits specified in Section 80026.6.
- (c) Authorization. An Emergency Teacher Librarian Services Permit authorizes the same service as a Library Media Teacher Services Credential.

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

§ 80025.5. Emergency Designated Subjects Vocational Education Permit for 30- Day Substitute Teaching Service.

- (a) Requirements for issuance and reissuance of the Designated Subjects Vocational Education Permit for 30-Day Substitute Teaching Service include all of the following:
 - (1) High School Diploma or equivalent as defined in Section 80034(h);
 - (2) Verification, by employers, of five years of work experience directly related to a

- subject listed in Section 80035.5. Forty-eight semester units or the quarter unit equivalent of postsecondary vocational training, related to that vocational education subject and verified by official transcript, may be substituted for a maximum of two of the five years of work experience. This substitution may be made on a pro rata basis up to the two year maximum. Teaching shall not be considered as acceptable work experience.
- (3) Submission of a completed Application for Credential Authorizing Public School Service (REV. 11/94); verification of completion of requirements specified in Subsections (a)(1), and (a)(2), above; verification of completion of livescan, unless clearance is already on file with the Commission; and payment of a fee as specified in Section 80487.
- (b) Authorization. The Emergency Designated Subjects Vocational Education Permit for 30-Day Substitute Teaching Service authorizes the holder to serve as a substitute in any classroom in any county in which the permit is registered provided the employing agency has a completed Statement of Need. Such substitute teaching shall be part of a program of technical, trade or vocational education. However, the holder shall not serve as a substitute for more than 30 days for any one teacher during the school year.
- (c) The Statement of Need for 30-day Substitute Teachers must:
- (1) describe the situation or circumstances that necessitate the use of an emergency permit holder, and
 - (2) state that either a credentialed person is not available, or that one or more credentialed persons are available, but do not meet the specified employment criteria established by the employing agency, and
 - (3) be prepared and signed by, as applicable, the superintendent of the employing school district, the superintendent of the employing county if the service will be rendered in county operated schools, or the head of the state agency under which the employing school operates.
- (d) An Emergency Designated Subjects Vocational Education Permit for 30-Day Substitute Teaching is valid for no less than one year and expires one calendar year from the first day of the month immediately following the date of issuance.

Note: Authority cited: Section 44225, Education Code. Reference: Section 44300(g), Education Code.

§ 80026. Declaration of Need for Fully Qualified Educators.

Submission of a Declaration of Need for Fully Qualified Educators by the employing agency shall be a prerequisite to the issuance of any emergency permit 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. 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 internship programs, estimate the number which the employing agency reasonably expects to employ during the year covered by the Declaration.
- (d) Stipulation of Insufficiency of Suitable Applicants. The employing agency shall certify that there is an insufficient number of certificated persons who meet the employing agency's specified employment criteria to fill necessary positions.
- (e) Adoption of the Declaration. The Declaration of Need for Fully Qualified Educators shall be adopted by the governing board of a school district, or by the superintendent of a county office of education or by the administrator of a state school or nonpublic, nonsectarian school or agency.
 - (1) A Declaration of Need for Fully Qualified Educators by a school district shall be adopted by the governing board in a regularly-scheduled, public meeting of the board. The entire Declaration of Need for Fully Qualified Educators shall be included in the board agenda, and shall not be adopted by the board as part of a consent calendar.
 - (2) A superintendent of a county office or the administrator of a state school or nonpublic, nonsectarian school or agency shall publicly announce his or her intent to adopt a Declaration of Need for Fully Qualified Educators at least 72 hours prior to adopting the Statement. The adopted Statement shall be signed by the superintendent or administrator.

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

§ 80026.1. Information to Applicants.

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

- (a) that the employing agency will provide the orientation, guidance and assistance required by Section 80026.5.
- (b) the name, or if providing the name is not feasible, the position, of the individual responsible for providing the guidance and assistance required by Section 80026.5:
- (c) that, in order to reissue an emergency permit, the applicant must complete a minimum of six semester units, or nine quarter units, of approved course work for the related

credential, unless exceptions for reissuance are listed under the specific requirement for the type of emergency permit for which application is being made.

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

§ 80026.6. Requirements for the Reissuance of Emergency Permits.

- (a) The reissuance requirements for an emergency permit identified in Section 80023 shall include all of the following:
- (1) A completed Application for Credential Authorizing Public School Service (form 41-4, rev 4-94),
 - (2) Payment of the fee(s) required by Section 80487.
 - (3) Prior submission of a Declaration of Need for Fully Qualified Educators that satisfies the provisions of Section 80026.
 - (4) Verification that orientation, guidance and assistance have been provided as required in Section 80026.5.
 - (5) For the first reissuance only, an evaluation by a Commission-accredited professional preparation institution identifying requirements the emergency permit holder must complete to be eligible for the related credential.
 - (6) Completion of at least six semester units (or the equivalent quarter units) of approved coursework in a Commission-accredited professional preparation program required for issuance of the related credential, unless exceptions for reissuance are listed under the specific requirements for the type of emergency permit for which application is being made.

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

§ 80034.5. Holder of Designated Subjects Full-Time Vocational Education, Full-Time Career Technical Education, or Career Technical Education Teaching Credential or Designated Subjects Full-Time Adult Education Teaching Credential Serving as a Substitute.

- (a) The holder of a valid designated subjects full-time vocational education, full-time career technical education, or career technical education teaching credential may, with his or her consent, serve as a substitute in grades 12 and below, and in classes organized primarily for adults, in technical, trade or vocational courses, including, but not limited to, agricultural occupations, technical occupations, or trade occupations which shall be part of a vocational education program. However, the holder shall not serve as a substitute for more than 30 days for any one teacher during the school year.
- (b) The holder of a valid designated subjects full-time adult education teaching credential may, with his or her consent, serve as a substitute in courses organized primarily for adults. However, the holder shall not serve as a substitute for more than 30 days for any one teacher during the school year.

Note: Authority cited: Section 44225, Education Code. Reference: Sections 44256(d) and 44349, Education Code.