



15-DAY NOTICE

DATE:

March 2, 2015

TO:

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

FROM:

Mary Vixie Sandy
Executive Director
Commission on Teacher Credentialing

SUBJECT: Notice of Modifications to the Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to a Complete Paper Application Packet

The Commission on Teacher Credentialing (Commission) conducted a public hearing on February 13, 2015 regarding the proposed amendments to Title 5 of the California Code of Regulations (CCR) pertaining to a complete paper application packet. **Notice is Hereby Given**, pursuant to the requirements of Government Code §11346.8(c), that the Commission has proposed the following modifications to the text of the proposed regulations. Any person who wishes to comment on the proposed modifications may do so by submitting written comments postmarked beginning March 3, 2015 to March 17, 2015 to the person indicated on the response form attached to this 15-Day Notice.

*Note: Any written comments are to be restricted to the recent modifications to the enclosed language. The Commission is not required to respond to comments received in response to this notice on other aspects of the proposed regulations. All written comments received or postmarked by March 17, 2015, **which pertain to the modified** text of the proposed regulations provided in this notice will be reviewed and responded to by Commission staff as part of the compilation of the rulemaking file.*

Summary of Modifications to 5 CCR §80002

The sentence “This section clarifies the requirements for a complete paper application packet.” was removed from the introduction as not specific. The sentences “Only a complete paper application for a credential will be processed by the Commission,” “A complete paper application must include subsections (a) through (d),” and “Subsections (e) through (i) provide information related to the processing of paper applications” were added to the introductory paragraph of the section to more clearly define the structure and purpose of the regulation.

(a): The sentence “Only a completed application form for certification will be processed by the Commission” and the phrase “A completed application form must” were removed from this subsection since this information on what must be included in an application packet has now been provided in the introductory paragraph. The word “that” was added for grammatical completion.

(e)(1): The word “Application” was changed to “Applications” and the word “forms” was removed as redundant. The word “not” was removed as the thrust of the sentence was changed from negative to positive action. The word “returned” was added to clarify the action to be taken with incomplete applications. The phrase “entered into an applicant’s file in the Commission database” was removed as unnecessary since the application is being returned to the sender.

(e)(2): The word “Application” was changed to “Applications” and the word “forms” was removed as redundant. The phrase “will be returned” was changed to “may be rejected” to more accurately reflect the potential action taken with incomplete applications. The phrase “subsequent to academic evaluation requesting the additional information needed for a complete application” was changed to “with an evaluation which sets forth the requirements that have not been met” to more accurately reflect the potential action taken with an incomplete application and the purpose of the correspondence sent to the applicant.

The entire rulemaking file, including this notice, is available for public inspection at the Commission’s office located at 1900 Capitol Avenue, Sacramento, California from March 3, 2015 to March 17, 2015 between 8:00 am and 5:00 pm. Please ask for David Crable.

Attached is a copy of the entire text, clearly showing the deleted text in ~~double strike through~~ and the new proposed text in double underline. Single underline and strikeout is already noticed for the 45-day comment period and the public comment period closed on February 9, 2015.

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

§ 80001. Definitions and Terms.

For purposes of Division 8:

- (a) “Applicant” means any applicant for a credential issued by the Commission.
- (b) (1) “Application for a credential” includes an application for a credential, an application for a renewal or reissuance of a credential, an application to add new authorizations to an existing credential, or a request to take any special action in relation to the issuance of a credential.
- (2) “Application”, “application form”, and “application packet” includes the following forms, regardless of earlier revision dates cited throughout Division 8, Chapter 1 and 4:

- (A) Application for issuance of a credential, extension of a credential, and added authorizations to an existing credential: Application for Credential Authorizing Public School Service (form 41-4, rev. 12/092014), available on the Commission's website and hereby incorporated by reference, together with its related Instruction and Information Sheet (rev. 12/092014) and ~~Personal and Professional Fitness Explanation Form~~ (form OA-EF, ~~12/09-9/2013~~) or the electronic versions available via the Commission's online recommendation, ~~and~~ online direct application, and online renewal systems;
- ~~(B) Application for renewal or reissuance of a credential: Renewal and Reissuance Application (form 41-REN, rev. 12/09), available on the Commission's website and hereby incorporated by reference, together with its related Instruction and Information Sheet (rev. 12/09) and Personal and Professional Fitness Explanation Form (form OA-EF, 12/09) or the electronic versions available via the Commission's online renewal system.~~
- (c) "Chair" means the Chair of the Commission pursuant to Education Code Section 44218.
- (d) "Commission" means the Commission on Teacher Credentialing as established pursuant to Education Code Section 44210.
- (e) "Credential" means any credential, life diploma, permit, certificate, waiver, or document issued by, or under the jurisdiction of, the Commission which entitles the holder to perform services for which certification qualifications are required. The official record of a credential includes any credential in a paper or electronic format, including, but not limited to, information obtained from the Commission's official website.
- (f) "Degree" means a baccalaureate or higher degree as specified in Education Code Section 44259(b)(1) earned through an approved college or university, regardless of its title, when the degree program contains no less subject matter preparation than a similar degree in a subject field other than professional education in the same institution.
- (g) "Denial" includes the denial of any portion of an application for a credential, even though the requested credential is issued or renewed.
- (h) "Executive Director" means the Executive Director to the Commission pursuant to Education Code Section 44220.
- (i) "Issuance" means the granting of a credential based upon the application for or renewal of that credential.
- (j) "Vice-Chair" means the Vice-Chair of the Commission.
- (k) "Professional" credential means a credential for which all statutory and regulatory requirements have been met, excluding credentials issued on partial, preliminary, or emergency bases. A "clear" credential means a professional credential as herein defined.

- (l) “Signature” or “signed” as used in this Chapter may include an electronic signature, as defined in Government Code section 16.5 and the California Code of Regulations, Title 2, Sections 22002 and 22005 or under any applicable state or federal law.
- (m) “Submitted” as used in this Chapter includes any documentation required by the Commission that is delivered in-person, via a delivery service or electronically.

Note: Authority cited: Section 44225, Education Code. Reference: Sections 44252, 44267.5, 44330 and 44332.5, Education Code.

§80002. Complete Paper Application Packet.

~~This section clarifies the requirements for a complete paper application packet. Only a complete paper application for a credential will be processed by the Commission. A complete paper application must include subsections (a) through (d). Subsections (e) through (i) provide information related to the processing of paper applications.~~

~~(a) Each applicant for a credential not available for online renewal or online recommendation must submit a paper application form as defined in section 80001(b)(2). Only a completed application form for certification will be processed by the Commission. A completed application form must that includes the following:~~

~~(1) full legal name, including all former or maiden names;~~

~~(2) date of birth;~~

~~(3) Social Security Number:~~

~~(A) any applicant that does not possess a Social Security Number may include an Individual Tax Identification Number as an alternative;~~

~~(4) current mailing address, including either a post office box or street address, city, state, and zip code;~~

~~(5) California county and school district where employed, as applicable:~~

~~(A) every person applying for or holding a credential must notify the Commission in writing of any change to his or her county and/or school district of employment;~~

~~(B) applicants not currently employed in a California school may indicate “Not Applicable;”~~

~~(6) telephone number;~~

~~(7) applicant’s email address;~~

(8) the type of credential, permit, or authorization sought:

(A) applicants seeking the issuance or reissuance of more than one type of credential or permit must submit a separate application form and application fee for each type of credential or permit;

(B) if more than one specific type of credential or permit is requested on one application form, the Commission will evaluate the application for the first type of document selected on the application form. Applicants will be sent a letter advising that each additional document sought requires the submission of a separate application, application fee, and supporting materials; and

(9) Oath and Affidavit section dated and signed under penalty of perjury, including the county and state where the application is signed.

(b) Each application form must be accompanied by the appropriate application fee as specified in section 80487.

(c) A criminal history record response from the fingerprint information specified in section 80442(a) and (c) must be received from the Department of Justice.

(d) Appropriate documentation to verify the applicant's academic qualifications for the credential, permit, or authorization requested and professional fitness. This includes, but is not limited to:

(1) official transcripts, if required, as specified in section 80435, and

(2) disclosures of information required in explanation of any professional fitness question with a "Yes" answer on the application form.

(e) Only complete applications for credentials will be processed by the Commission, as specified in section 80443(a)(2).

(1) Applications ~~forms~~ missing any of the items listed in subsections (a)(1) through (a)(3)(A) and subsection (b) will be deemed incomplete and will ~~not~~ be returned ~~entered into an applicant's file in the Commission database.~~

(2) Applications ~~forms~~ missing any of the items listed in subsections (a)(4) through subsection (d) will ~~may be returned~~ rejected ~~subsequent to academic~~ with an evaluation which sets forth the requirements that have not been met ~~requesting the additional information needed for a complete application.~~

(f) The Commission will notify an applicant regarding any additional documentation required for evaluation not initially submitted with the application.

(1) Application fees remain valid for sixty (60) days from the date of the notice to allow an applicant time to provide the requested additional documentation as specified in section 80487(e).

(g) The processing time of fifty (50) business days for paper applications found in Education Code section 44350 in cases pursuant to subsection (f)(1) will commence upon receipt of the resubmitted complete application as specified in section 80443(a)(1).

(1) Processing time is the time necessary for the Commission to determine an applicant's eligibility for the document requested.

(2) The fifty (50) business day processing time for paper applications is not applicable when an application is subject to a fitness review by the Commission.

(h) Application fees are earned upon receipt of the application and may not be refunded or applied to a subsequent application as specified in section 80487(b).

(i) Every person applying for or holding a credential shall notify the Commission in writing, or by updating the educator's electronic record at the Commission, of any change to the information provided pursuant to 80002(a)(4) or (5) or (7).

Note: Authority cited: Section 44225, Education Code. Reference: Section 291, Penal Code; Section 1798.24, Civil Code; Sections 44230, 44235, 44330, 44339, 44340, 44346.5, 44350, Education Code; and Section 552, United States Code.



Commission on Teacher Credentialing

1900 Capitol Avenue Sacramento, CA 95811-4213 (916) 322-6253 Fax (916) 445-0800 www.ctc.ca.gov

Attn: David Crable, Certification Division

Title: Notice of Modifications to the Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to a Complete Paper Application Packet

Section: 80002

Response to the Modifications to the Proposed Amendments

If you disagree with the modifications to the proposed amendments, please return this response form to the Commission office, attention David Crable, at the above address postmarked no later than March 17, 2015.

1. **No**, I do not agree with the modifications to the proposed amendments for the following reasons:

Personal opinion of the undersigned

Organizational opinion representing: (Circle One)

School District, County Schools, College/University, Professional Organization,
Other _____

Signature: _____ Date: _____

Printed Name: _____

Title: _____ Phone: _____

Employer/Organization: _____

Mailing Address: _____

Route to dc