

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

§ 80022. Teaching Permit for Statutory Leave.

Local employing agencies may request the Teaching Permit for Statutory Leave to be used when a teacher of record is unable to provide services due to a statutory leave.

(a) If a local employing agency elects to request a Teaching Permit for Statutory Leave, the following shall be required for the initial issuance:

(1) Submission of an application form as defined in §80001; the processing fee as specified in §80487(a)(1); and fingerprint clearance as specified in §80442.

(2) Possession of a baccalaureate or higher degree from a regionally accredited college or university.

(3) Meet the basic skills requirement as described in Education Code section 44252, unless exempt by statutes or regulations.

(4) Successful completion of the subject matter requirement for the authorization(s) requested as found in (A), (B) or (C):

(A) For any single subject authorization, completion of one of the following:

1. 18 semester units (or 9 upper division units), or equivalent quarter units, of appropriate non-remedial course work taken at a regionally accredited college or university with a grade of "C" or higher, "Pass", or "Credit" in a single subject or subsumed subject area as defined in §80005.

2. A degree major in a statutory single subject or subsumed subject area as defined in §80005.

3. Passage of the appropriate subject-matter examination(s) in the single subject area as provided in Education Code Sections 44280, 44281, and 44282.

(B) For the multiple subject authorization, completion of one of the following:

1. At least 10 semester units of non-remedial course work taken at a regionally accredited college or university with a grade of "C" or higher, "Pass", or "Credit" in each of at least four of the following subject areas or at least 10 semester units of course work in each of three subject areas and an additional 10 semester units of course work in a combination of two of the remaining subject areas. The subject areas are as follows: language studies, history, literature, humanities, mathematics, the arts, science, physical education, social science and human development.

2. A degree major in liberal studies.

3. Passage of the appropriate multiple subject subject-matter examination(s) as provided in Education Code Sections 44280, 44281, and 44282.

(C) For the special education authorization, completion of one of the requirements in either (A) or (B), or one of the following:

1. Verify a minimum of one year of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students.

2. Verify a minimum of 9 semester units of course work in special education or in a combination of special education and regular education that are appropriate to a special education or regular education teaching credential.

(5) The local employing agency shall submit to the Commission verification of completion of 45 hours of pre-service preparation that shall include, but is not limited to, the following:

(A) Foundational level content covering Curriculum and Instruction.

(B) Foundational level content covering Reading and Language Arts.

(C) Foundational level content covering Pedagogy.

(D) Foundational level content covering Human Development.

(E) Foundational level content covering Teaching English Learners.

(F) Foundational level content covering Best Practices in Instruction and Individualized Education Programs.

(G) Foundational, intermediate, and proficient level content for Health, Safety and Hygiene.

(H) Foundational, intermediate, and proficient level content for Ethics.

(I) Foundational, intermediate, and proficient level content for Local Context.

(J) Foundational level content covering Classroom Management and the Learning Environment.

(6) The local employing agency shall submit to the Commission verification of orientation, mentoring, and accountability.

(b) The Teaching Permit for Statutory Leave 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.

(c) Use of the Teaching Permit for Statutory Leave for statutory leave assignments shall be restricted to the local employing agency(s) requesting the permit.

(d) If a local employing agency elects to request the reissuance of the Teaching Permit for Statutory Leave, the following shall be required:

(1) For the first reissuance:

(A) Submission of an application form as defined in §80001; the processing fee as specified in §80487(a)(1); and fingerprint clearance as specified in §80442.

(B) The local employing agency shall submit to the Commission verification of continued mentoring and accountability.

(C) The local employing agency shall submit to the Commission verification of completion of an additional 45 hours of preparation that shall include, but is not limited to, the following:

1. Intermediate level content covering Curriculum and Instruction.

2. Intermediate level content covering Reading and Language Arts.
3. Foundational level content covering Relationships Between Theory and Practice.
4. Intermediate level content covering Pedagogy.
5. Intermediate level content covering Teaching English Learners.
6. Foundational and intermediate level content covering Using Technology in the Classroom.
7. Intermediate level content covering Best Practices in Instruction and Individualized Education Programs.
8. Foundational, intermediate, and proficient level content for Local Context.
9. Intermediate level content covering Classroom Management and the Learning Environment.

(2) For the second reissuance:

- (A) Submission of an application form as defined in §80001; the processing fee as specified in §80487(a)(1); and fingerprint clearance as specified in §80442.
- (B) The local employing agency shall submit to the Commission verification of continued mentoring and accountability.
- (C) The local employing agency shall submit to the Commission verification of completion of an additional 45 hours of preparation that shall include, but is not limited to, the following:
 1. Proficient level content covering Curriculum and Instruction.
 2. Proficient level content covering Reading and Language Arts.
 3. Intermediate and proficient level content covering Relationships Between Theory and Practice.

4. Proficient level content covering Pedagogy.

5. Intermediate and proficient level content covering Human Development.

6. Proficient level content covering Teaching English Learners.

7. Proficient level content covering Using Technology in the Classroom.

8. Proficient level content covering Best Practices in Instruction and Individualized Education Programs.

9. Foundational, intermediate, and proficient level content for Local Context.

10. Proficient level content covering Classroom Management and the Learning Environment.

(3) For the third and all subsequent reissuances:

(A) Submission of an application form as defined in §80001; the processing fee as specified in §80487(a)(1); and fingerprint clearance as specified in §80442.

(B) The local employing agency shall submit to the Commission verification of continued mentoring and accountability.

(C) The local employing agency shall submit to the Commission verification of completion of professional learning activities that are offered to the local employing agency's regular teaching staff.

(e) The Teaching Permit for Statutory Leave may be issued with one or more of the following authorizations:

(1) A multiple subject authorization that shall authorize instructional service as the interim teacher of record to students in a self-contained setting as defined for the Multiple Subject Teaching Credential in §80003.

(2) A specific single subject authorization that shall authorize instructional service as the interim teacher of record to students in a departmentalized setting as defined for the Single Subject Teaching Credential in §80004.

(3) A special education authorization that shall authorize instructional service as the interim teacher of record to students with any disability area as is authorized by an Education Specialist Instruction Credential in §80048.6.

(f) Definitions:

(1) The term “accountability” as used in this section shall mean the following:

(A) That the local employing agency has made reasonable efforts in hiring a substitute with a full teaching credential that matches the setting and/or subject for the statutory leave position and that no such candidate is available, and

(B) That documentation verifying the appropriate use of each permit holder’s assignment shall be kept on file with the local employing agency and that data on the assignments of the permit holder shall be reported to the local county office of education annually as part of the assignment monitoring specified under Education Code section 44258.9. Documentation verifying the appropriate use of each permit shall include:

1. name of the permit holder serving in the assignment,
2. teacher of record,
3. specific statutory leave section that justifies use of the TPSL permit,
4. school site of assignment,
5. setting, subject, and grade level of statutory leave assignment,
6. name of mentor assigned to TPSL permit holder, and
7. number of cumulative day the TPSL holder served in specific statutory leave assignment.

(2) The term “Best Practices in Instruction and Individualized Education Programs” as used in this section shall mean the following: federal disability category definitions and specific best practices; basic explanation of individualized education programs and other special education acronyms; how to interpret an individualized education program goal and collect data; how to interpret and implement a behavior plan; differentiated instruction and universal design for learning including visual supports, applied behavior analysis and positive behavioral interventions and supports; communication with parents; working with related service providers and paraeducators.

- (3) The term “Classroom Management and the Learning Environment” as used in this section shall mean the following: research based strategies for creating and maintaining effective learning environments; classroom organization; behavior management plans that support student engagement and learning; positive behavior supports; and local context (e.g., school-wide behavior management systems, Positive Behavioral Interventions and Support (PBIS), Multi-Tier Systems of Support (MTSS), Response to Instruction and Intervention (RTI2), Restorative Justice Approach).
- (4) The term “Curriculum and Instruction” as used in this section shall mean the following: preparation in developing, implementing, adapting, modifying, and evaluating a variety of pedagogical approaches to instruction; using and developing instructional sequences and lesson plans that provide all students with equitable access to the content and experiences found in the state-approved core curriculum.
- (5) The term “employing agency” as used in this section shall mean any of the following: public school districts in California; county offices of education or county superintendents of schools in California; schools that operate under the direction of a California state agency; nonpublic, nonsectarian schools and agencies as defined in Education Code sections 56365 and 56366; charter Schools as established in Education Code section 47605.
- (6) The term “Ethics” as used in this section shall mean the following: confidentiality regarding student information; mandated reporting and child abuse prevention; Americans with Disabilities Act of 1990 (ADA); Individuals with Disabilities Education Act (IDEA); Section 504 of the Rehabilitation Act of 1973; non-discrimination; universal access, designing and implementing equitable and inclusive learning environments for all students.
- (7) The term “foundational” as used in this section shall mean the most basic or introductory level.
- (8) The term “Health, Safety and Hygiene” as used in this section shall mean the following: emergency behavior interventions and de-escalation strategies; establishing a physically, socially, and emotionally safe classroom environment; specialized health care procedures; injury and illness prevention; lifting, carrying, and use of mechanical lifts and equipment; general and specialized ergonomics; blood-borne pathogens and universal precautions.

- (9) The term “Human Development” as used in this section shall mean the following: comprehensive knowledge of typical and atypical human development from the prenatal stage through adulthood; knowledge of developmental stages and development associated with various disabilities and risk conditions (e.g. visual impairment, autism spectrum disorders, cerebral palsy); resilience and protective factors (e.g. attachment, temperament) and their implications for learning.
- (10) The term “intermediate” as used in this section shall mean that which is in advance of or builds upon the foundational level.
- (11) The term “Local Context” as used in this section shall mean the following: employer specific software or programs used for attendance, grading, and individualized education program tracking; school expectations; local educational programs.
- (12) The term “mentoring” as used in this section shall mean that for each statutory leave assignment the local employing agency shall provide an average of two hours of mentoring, support, and/or coaching per week through a system of support coordinated and/or provided by a mentor who possesses a valid life or clear credential that would also authorize service in the statutory leave assignment and that within this system of support the TPSL holder shall be provided lesson plans for the first four weeks of the assignment as well as continued assistance in the development of curriculum, lesson planning, and Individualized Education Programs (IEPs).
- (13) The term “orientation” as used in this section shall mean that the local employing agency shall provide early orientation to the assignment before or during the first month of service in the statutory leave assignment.
- (14) The term “Pedagogy” as used in this section shall mean the following: introductory coursework in planning and delivering content-specific instruction consistent with state-adopted academic content standards for students and curriculum frameworks; knowledge of the full range of the service delivery system, including special and general education, diversity of grades/ages, and federal disability categories.
- (15) The term “professional learning activities” as used in this section shall mean activities that are offered to the local employing agency’s regular teaching staff.
- (16) The term “proficient” as used in this section shall mean the complete or skilled level.

(17) The term “Reading and Language Arts” as used in this section shall mean the following: systematic instruction in reading, writing, listening, and speaking aligned to the state adopted English Language Arts Content Standards and the Reading/Language Arts Framework that meets the needs of the full range of learners including struggling readers, students with special needs, typologies of English language learners, speakers of non-standard English, students who have no communication/language system, and advanced learners who have varied reading levels and language backgrounds.

(18) The term “Relationships Between Theory and Practice” as used in this section shall mean the following: exposure to the relationships between foundational issues, theories, and professional practice in relation to the principles of human learning and development, pedagogical strategies, curriculum, instruction, assessment, student accomplishments, attitudes, and conduct.

(19) The term “statutory leave” as used in this section shall mean when an employing agency must temporarily fill a position belonging to a teacher of record whose absence is authorized by any leave as defined in Education Code section 44977, Education Code section 44978, Education Code section 44984, Government Code section 12945, Government Code section 12945.2 and 29 U.S.C. Chapter 28.

(20) The term “Teaching English Learners” as used in this section shall mean the following: principles of linguistic development; language acquisition; assessment of language proficiency; academic delivery and building strategies for English language learners; knowledge of educational equity, diversity, cultural and linguistic responsiveness and their implementation in curriculum content and school practices for all students.

(21) The term “Using Technology in the Classroom” as used in this section shall mean the following: knowledge in the basic principles of operation of computer hardware and software; use of technology to facilitate the teaching and learning process; legal and ethical issues related to the use of technology; best practices and research on the use of technology to deliver lessons that enhance student learning; integration of technology-related tools into the educational experience.

Note: Authority cited: Section 44225(g), Education Code. Reference: Sections 44225(b), 44225(d), 44225(e), 44225(l), 44252, 44258.9, 44280, 44281, 44282, 44300(i), 44977, 44978, 44984, 47605, 56365 and 56366, Education Code.

§ 80025.3. Day to Day Substitute Teaching.

- (a) The holder of a valid California teaching or services credential for which the requirements are equal to or greater than those listed in Title 5 Section 80025(a)(1) and (2) for an Emergency 30-Day Substitute Teaching Permit is authorized to serve as a substitute in any classroom; preschool, kindergarten and grades 1-12, inclusive; or in classes 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. Holders of teaching or services credentials issued prior to February 1, 1983 will not be held to the requirement in Education Code ~~§~~44252(b) if the requirements for the credential included a bachelor's degree and a professional preparation program.
- (b) The holder of a permit or credential issued according to the provisions of Title 5 Section 80021, 80021.2, 80022, 80023.2, 80025.1 or 80071.4(c) may, in addition to the authorization of the permit, serve as a substitute in any classroom; preschool, kindergarten and grades 1-12, inclusive; or in classes organized primarily for adults during the valid period of the permit in any district within the county listed on the document. However, the holder shall not serve as a substitute for more than 30 days for any one general education teacher or classroom, or more than 20 days for any one special education teacher or classroom during the school year.
- (c) The provisions of this section do not apply to teachers who hold documents issued under the provisions of Education Code Sections ~~44305,~~ 44321 or 44325.

Note: Authority cited: Section 44225(q) and 56061(a), Education Code. Reference: Section 44225(e), Education Code.