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# 3B

## Action/Information

### *Legislative Committee of the Whole*

#### Analysis of Bills of Interest to the Commission

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## AGENDA INSERT

**Executive Summary:** Staff will present analyses of educator preparation or licensure bills introduced by the Legislature. The analyses will summarize current law, describe the bill's provisions, estimate its costs, recommend amendments (if applicable) and propose a recommended position.

**Recommended Action:** Staff will indicate a recommended position on individual legislative measures as appropriate. Positions for the Commission to consider are: Sponsor, Support, Support if Amended, Approve, Seek Amendments, Watch, Disapprove, Oppose, and Oppose Unless Amended.

**Presenter:** Anne L. Padilla, Consultant, Office of Governmental Relations



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**PROPOSED TECHNICAL AMENDMENT TO IMPLEMENT THE  
COMMISSION'S ACTION TO PHASE OUT EMERGENCY PERMITS**

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**Purpose of Proposed Change:** The proposed change would align the California Education Code with the California Commission on Teacher Credentialing's (Commission) recent decision regarding emergency permits and the federal No Child Left Behind Act by permitting the Commission to issue less-than-one-year emergency permits between August 2005 and June 2006.

**Background:** At the December 2003 meeting of the Commission on Teacher Credentialing the Commission (with the support of a representative group of stakeholders) adopted a plan to phase out emergency permits by July 1, 2006 to align with the provisions of the federal No Child Left Behind Act. To that end, all emergency permits issued after July 1, 2005 would expire June 30, 2006.

Included in the motion adopted by the Commission was the provision that the Commission would meet with stakeholders to determine criteria for employers and teachers regarding a new provisional alternative document available to employers in specified circumstances. The new document will first become available during a transition period beginning in 2005. Education Code Section 44225 gives the Commission the authority to issue such a document that could be used in certain emergencies. Criteria for the new document will be developed with extensive input from stakeholders. Productive meetings with stakeholders have already been held to begin developing this new document.

Education Code Section 44251(c) specifies that emergency permits are issued for a validity period of one year. To align with the federal law and the Commission's action, the statute needs to be changed to accommodate the less-than-one-year documents issued from August 2005 to June 2006.

This technical amendment was reviewed by the Commission's working group on emergency permits and counsel for the State Board of Education. They concur that this technical change is necessary and desirable.

**Staff Recommendation:** Staff recommends that the Commission direct staff to pursue this technical amendment (attached) to current law so that the Commission can implement its decision to issue less-than-one-year emergency permits between August 2005 and June 2006.

**Delete** subsection (c) in Education Code Section 44251.

~~§44251 (c) The period for which an emergency permit, as authorized under Section 44300 issued before, on, or after January 1, 1998, is valid is one year. For an emergency permit issued prior to January 1, 1998, that is in effect on or after January 1, 1998, that emergency permit may be reissued for additional one-year periods, as the commission may determine, not to exceed a total of five one-year reissue periods. For an emergency permit, issued on or after January 1, 1998, the emergency permit may be reissued for additional one-year periods, as the commission may determine, not to exceed a total of four one-year reissue periods.~~

**Add** the following:

§44251(c) Emergency permits, as authorized in Section 44300, may be initially issued or reissued for validity periods not to exceed one year as determined by the commission.