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## Information

### *Credentialing and Certificated Assignments Committee*

### **Proposed Title 5 Regulations for the Short-Term Staff Permit and the Provisional Internship Permit**

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**Executive Summary:** This agenda item presents draft California Code of Regulations Title 5 language to implement the Short-Term Staff Permit and the Provisional Internship Permit.

**Recommended Action:** None, Information Item

**Presenter:** Dale Janssen, Director,  
Certification, Assignment and Waivers Division

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# Proposed Title 5 Regulations for the Short Term Staff Permit and the Provisional Internship Permit

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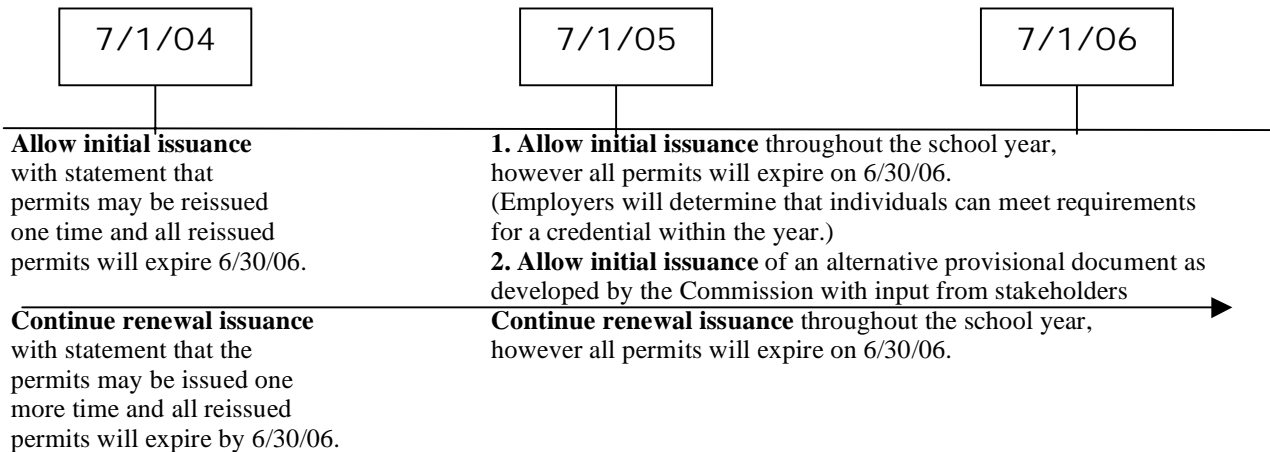
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## Introduction

At the August 2004 Commission meeting the Commission took action to adopt two documents to replace emergency permits. These new documents are entitled the Short-Term Staff Permit and the Provisional Internship Permit. This agenda item presents draft California Code of Regulations Title 5 language to implement these permits.

## Background

The Commission discussed the issuance of emergency permits at its August, October, November and December 2003, May and June 2004 Commission meetings. At its December meeting the Commission took action to discontinue the issuance of emergency permits based on the following timeline:



The NCLB deadline for full compliance with the requirement of having a highly qualified teacher in every core academic classroom is the end of the 2005-2006 school year. At the December 2003 Commission meeting, the Commission took action to discontinue emergency permits. At that time, staff was directed to meet with stakeholder organizations to develop criteria for a document to address unanticipated and chronic staffing needs.

## Stakeholder Meetings

Several organizations testified at both the November 2003 Study Session and the December 2003 Commission meeting that there would be a continuing need for a document that addressed unanticipated staffing needs. All organizations supported the July 1, 2006 phase out date as long as there was some flexibility to staff classrooms at the local level.

The participating stakeholders were asked to define an “emergency.” An emergency, according to the general consensus of the group, occurs when the employing agency is unable to find a credentialed teacher for a classroom. However, as the discussions continued the group determined that there were two distinct types of staffing needs.

- 1) **Acute staffing need:** When an employer needs to fill a classroom immediately based on an unforeseen need; for example when the teacher of record is unable to finish the school year due to an illness or when there is an enrollment adjustment.
- 2) **Anticipated staffing need:** When a district is aware that an opening is going to occur, conducts a diligent search for a credentialed teacher, but is unable to recruit one. This often occurs in the statewide shortage areas of special education, mathematics and sciences, however it can occur in almost any subject depending upon the site and district.

With the understanding that there are two distinct sets of staffing needs, members of the group suggested that the new document be bifurcated to offer one that would meet an acute staffing need and one for an anticipated staffing need when, after a diligent search, no appropriately credentialed teacher can be found. Consequently, the first document is for temporary assignments and the second is for longer-term assignments.

## Short-Term Staff Permit

This document would be used when a district needs to staff a classroom immediately. Some of the possible reasons discussed at the stakeholders meeting include illness, approved leave, enrollment adjustments and to serve as a bridge document for those who have completed subject matter competency but have been unable to enroll in a teacher preparation program.

## Commission Action from the August 2004 meeting

### *Name*

Short-Term Staff Permit

### *Candidate Requirements*

Bachelor’s Degree

CBEST

Subject Matter

Multiple Subject – 40 units

Single Subject – 18 units

Special Education –Either subject matter requirement

***LEA Requirements***

Local recruitment effort  
Provide orientation and ongoing support  
Written justification signed by Superintendent or designee

***Validity of Document***

Non-Renewable - Not to exceed one year

***Restriction***

Employer

Proposed California Code of Regulations Title 5 language to implement the Commission action from the August 2004 meeting.

**§80021 – Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit**

Employing agencies shall request the Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit when there is an acute staffing need.

(a) The employing agencies shall demonstrate that applicants for the for the Short-Term Staff Permit have completed all of the following requirements:

- (1) Possession of a baccalaureate or higher degree from a regionally accredited college or university.
- (2) Verification of passage of the California Basic Education Skills Test (CBEST).
- (3) Successful completion of the specified number of semester 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" as found in (A), (B) and (C) below. Non-remedial coursework for the purposes of this section shall be defined as coursework that is applicable toward a bachelor's degree or a higher degree at a regionally accredited college or university.
  - (A) For the Single Subject Short-Term Staff Permit, at least 18 semester units of course work in the subject to be listed; or
  - (B) For the Multiple Subject Short-Term Staff Permit, at least 10 semester units of course work 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.

(C) For the Education Specialist Short-Term Staff Permit either (A) or (B) above or verify a minimum of three years of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students or verify a minimum of nine semester units of course work in special education or in a combination of special education and regular education that are appropriate to special education or regular education teaching credential.

(4) The employing agency shall verify or submit the following to the Commission:

(A) That it has conducted a local recruitment for the Short-Term Staff Permit being requested.

(B) That it has provided permit holders with orientation to the curriculum and to techniques of instruction and classroom management and assigned a mentor teacher for the term of the Short-Term Staff Permit.

(C) Written justification for the Short-Term Staff Permit signed by the employing agency's Superintendent or designee. In the case of a state certified non-public school, the director of the school must sign the justification.

(b) The Short-Term Staff Permit shall be issued for no more than one-year, provided that it shall expire at the end of the employing agency's school year and shall not be issued more than once to an individual.

(c) Individuals who were issued an emergency permit pursuant to Education Code Section 44300 that was reissued five times do not qualify for the Short-Term Staff permit.

(d) Use of the Short-Term Permit shall be restricted to the employing agency requesting the permit.

(e) The Short-Term Permit shall authorize the following:

(1) A Multiple Subject Short-Term Staff Permit authorizes the same service as a Multiple Subject Teaching Credential.

(2) A Single Subject Short-Term Staff Permit authorizes the same service as a Single Subject Teaching Credential.

(3) An Education Specialist Short-Term Staff Permit authorizes the same service as an Education Specialist Teaching Credential.

(f) Definitions:

(1) The term "employing agencies" as used in this section shall mean::

(A) Public school districts in California.

(B) County offices of education or county superintendents of schools in California.

(C) Schools that operate under the direction of a California state agency.

(D) Nonpublic, nonsectarian schools and agencies as defined in Education Code Sections 56365 and 56366.

(E) Charter Schools as defined in Education Code Section 47600.

(2) The term "acute staffing as used in this section shall mean when an employing agency needs to fill a classroom immediately based on an unforeseen need

## **Provisional Internship Permit**

The second permit is for occurrences when the district knows that there will be an opening, conducts a diligent search yet is unable to recruit a suitable candidate. The expectations of the district and the employee are much higher since this individual will be the teacher of record and should be on a credential track. The focus of the document is meeting subject matter competency. Once a candidate completes subject matter competency, the candidate can be employed on an NCLB compliant document such as an Individualized Internship Certificate or a University or District Internship credential.

### **Commission Action from the August 2004 meeting**

#### ***Document Name***

Provisional Internship Permit

#### ***Purpose***

Issued at the request of a school district when a suitable credentialed teacher cannot be found after a diligent search

#### ***Candidate Requirements***

Bachelor's Degree

CBEST

Subject Matter:

Multiple Subjects – 40 units

Single Subject – 18 units

Special Education – Either subject matter requirement or 9 units in education or 3 years experience with special education students

#### ***LEA Requirement –verification of diligent search***

Provide specified information of diligent search

#### ***LEA Requirement –supervision and support***

Provide supervision and administrative support

#### ***LEA Requirement –mentoring***

Paired with an experienced educator

#### ***LEA Requirement –complete subject matter***

Provide assistance to obtain subject matter competency during the first year of employment

#### ***LEA Requirement –candidate is apprised of steps to earn a credential***

A signed agreement between the teacher and LEA outlining steps to complete subject matter and enroll in an internship

***LEA Requirement –public notice***

Permit requests must include verification that a notice of intent to employ the named applicant in the identified position has been made public

***Validity of Document***

Not to exceed two years, issued in one-year increments based on taking a subject matter examination

***Restriction***

Employer

At the August Commission meeting staff was directed to define diligent search and explain the waiver process for diligent search. The diligent search definition included in the proposed Title 5 language is derived from Education Code Section 44300(a)(3)(A) and the Commission's waiver criteria for recruitment. The current Education Code requirement to demonstrate diligent search is an annual Declaration of Need for Qualified Educators. A governing board of an employing agency annually estimates the number of emergency permits it expects to request each year and declare that the employing agency has conducted a diligent search.

The Commission's waiver criteria require an employing agency requesting a credential waiver to conduct a diligent search. If the credential waiver request is for a statewide shortage area such as mathematics, science and special education, the agency makes check marks on a list that appears on the waiver application acknowledging the type of recruitment it has conducted. If the credential waiver request is in a non-shortage area such as social science, the agency must submit documentation of the recruitment effort. The documentation includes copies of newspaper advertising, job bulletins, a copy of the listing on the Internet and other recruitment efforts the agency may have conducted.

The proposed Title 5 language below reflects the action the Commission took in August to require documentation of a diligent search for each Provisional Internship Permit requested.

**§80021.1 Multiple Subject, Single Subject or Education Specialist Provisional Internship Permit**

Employing agencies shall request the Multiple Subject, Single Subject or Education Specialist Provisional Internship Permit when a suitable credentialed teacher cannot be found after a diligent search.



(a) The employing agencies shall demonstrate that applicants for a Provisional Internship Permit have completed the following requirements:

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

(2) Verification of passage of the California Basic Education Skills Test (CBEST).

(3) Successful completion of the specified number of semester 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" as found in (A), (B) and (C) below. Non-remedial coursework for the purposes of this section shall be defined as coursework that is applicable toward a bachelor's degree or a higher degree at a regionally accredited college or university.

(A) For the Single Subject Provisional Internship Permit, at least 18 semester units of course work in the subject to be listed: or

(B) For the Multiple Subject Provisional Internship Permit, at least 10 semester units of course work 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.

(C) For the Education Specialist Provisional Internship Permit, either (A) or (B) above or verify a minimum of three years of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students or verify a minimum of nine semester units of course work in special education or in a combination of special education and regular education that are appropriate to special education or regular education teaching credential.

(4) The employing agencies shall verify or submit all of the following to the Commission with each request:

(A) That a diligent search has been conducted for a suitable credentialed teacher or qualified internship teacher as evidenced by documentation of that search.

(B) That orientation, guidance and assistance to permit holders, as specified in Section 80026.5, will be provided.

(C) That the employing agency will work with the permit holder to develop individualized instruction plans through an

assessment of each permit holder's subject-matter strengths and weaknesses.

(D) That the employing agency assist the permit holder to seek and enroll in subject-matter training, such as workshop or seminar formats and site-based courses along with training in test-taking strategies and to assist permit holders in meeting the credential subject-matter competence requirement that is related to the Provisional Internship Permit.

(E) Verification that a notice of intent to employ the applicant in the identified position has been made public as follows:

(i) If the permit is being submitted by a public school district, it must include a copy of the agenda item presented to the governing board of the district in public meeting with a signed statement from the superintendent, or his or her designee, that the item was acted upon favorably. The agenda item must state the name of the applicant, the assignment in which the applicant will be employed including the subject(s) and grade level(s) that he or she will be teaching and that the applicant will be employed on the basis of a Provisional Internship Permit.

(ii) If the permit is being submitted by a county office of education, state operated school, or nonpublic, nonsectarian school or agency, it must include a dated copy of the notice that was posted at least 72 hours before the position was filled and a signed statement from the superintendent or administrator or his or her designee that there were no objections to the permit. The notice must state the name of the applicant, the assignment in which the applicant will be employed including the subject(s) and grade level(s) that he or she will be teaching and that the applicant will be employed on the basis of a Provisional Internship Permit.

(F) Verification that the candidate has been apprised of steps to earn a credential and enroll in an internship program.

(b) The Provisional Internship Permit shall be issued in one-year increments for no more than two years. A permit may not be renewed for a second year unless, the permit holder has taken all of the subject matter examinations that are listed on the Provisional Internship Permit.

(c) Individuals who were issued an emergency permit pursuant to Education Code section 44300 that was reissued four times do not qualify for Provisional Internship permit.

(d) Use of the Provisional Internship Permit shall be restricted to the employing agency requesting the permit.

(e) The Provisional Internship permits shall authorize the following: :  
A Multiple Subject Provisional Internship Permit authorizes the same  
service as a Multiple Subject Teaching Credential.

A Single Subject Provisional Internship Permit authorizes the same  
service as a Single Subject Teaching Credential.

(3) An Education Specialist Provisional Internship Permit authorizes the same service as an  
Education Specialist Teaching Credential.

(f) Definitions:

(1) The term "Employing agencies" as used in this section shall  
mean:

(A) Public school districts in California.

(B) County offices of education or county superintendents of schools in California.

(C) Schools that operate under the direction of a California state agency.

(D) Nonpublic, nonsectarian schools and agencies as defined in Education Code  
Sections 56365 and 56366.

(E) Charter Schools as defined in Education Code Section 47600.

(2) The term "diligent search" as used in this section shall  
include, but is not limited to, distributing job announcements,  
contacting college and university placement centers, advertising in  
local newspapers, and utilizing the Internet.

### **November/December Meeting**

Based on testimony from the public and Commission direction, staff will return at the November/December meeting with updated proposed Title 5 regulations based on the September/October comments and recommend that the Commission call for a public hearing after the 45 day public comment period. The public hearing would then be scheduled for the January/February 2005 Commission meeting.