
3A

Action

Appeals and Waivers Committee

Consideration of Actions to Assist Applicants, Educators, and Credential Candidates Impacted by Emergency Health and Safety Conditions Related to COVID-19

Executive Summary: This agenda item will present for the Commission's consideration actions that the Commission may take in order to assist applicants, educators, and credential candidates impacted by the emergency health and safety conditions related to COVID-19. Specifically, the item will address three areas where the Commission may take action: 1) the option for the Commission to consider deferring the Basic Skills Requirement for individuals unable to complete the examination due to the current crisis; 2) the option for the Commission to consider allowing re-issuances or renewals of credentials, permits, and waivers where the holder was unable to complete the requirements for renewal due to the ongoing crisis; and 3) the option for the Commission to approve multiple requests made by Commission-approved institutions for Variable Term Waivers for candidate(s) that were unable to complete one or more program requirements.

Recommended Action: Staff recommends that the Commission approve the options presented herein.

Presenter: Erin Skubal, Director, Certification Division

Strategic Plan Goal

I. Educator Quality

- c) Ensure that credential processing and assignment monitoring activities accurately, effectively, and efficiently identify educators who have met high and rigorous certification standards and who are appropriately assigned.

Consideration of Actions to Assist Applicants, Educators, and Credential Candidates Impacted by Emergency Health and Safety Conditions Related to COVID-19

Introduction

This agenda item presents for the Commission on Teacher Credentialing's (Commission) consideration actions that may be taken in order to assist applicants, educators, and credential candidates impacted by the emergency health and safety conditions related to COVID-19. Specifically, the item addresses three areas for possible action by the Commission: 1) the option for the Commission to consider deferring the Basic Skills Requirement for individuals unable to complete the examination due to the health and safety conditions related to COVID-19; 2) the option for the Commission to consider allowing extensions and renewals of credentials and permits where the holder was unable to complete requirements due to the health and safety conditions related to COVID-19; and 3) the option for the Commission to approve multiple requests made by Commission-approved institutions for Variable Term Waivers for candidate(s) that were unable to complete one or more program requirements due to the health and safety conditions related to COVID-19.

Background

The Commission, through Education Code (EC) and Title 5, California Code of Regulations (CCR), has authority over many aspects of teacher preparation, licensure, and credential renewal. This authority includes three distinct areas:

1. the authority to defer the state basic skills proficiency test requirement in specific cases, as outlined in EC section 44252.8;
2. the authority to extend or renew a credential or permit when the holder was unable to complete requirements for renewal/reissuance due to circumstances outlined in Title 5 CCR sections 80496 and 80523;
3. the authority to issue VTW documents to allow candidates additional time to complete requirements for a credential, as outlined in EC section 44225, subdivision (m), subsection (2) and Title 5, CCR sections 80120 - 80125. Historically, the Commission has issued VTWs based on public school employer requests when a candidate needs additional time to complete a credential requirement while maintaining employment as an educator. The Commission has the authority to grant waiver requests that "Provide other temporary exemptions when deemed appropriate by the commission," (Education Code section 44225, subdivision (m), subsection (5)).

COVID-19 Public Health Crisis

On March 19, 2020, California Governor Gavin Newsom issued a directive that all Californians shelter in place in order to prevent further spread of COVID-19. Prior to this directive, multiple public-school districts, county offices of education, and colleges and universities had already made the decision to close school campuses, resulting in an abrupt interruption to courses in progress and clinical practice placements, including student teaching experiences. Interactions with TK-12 students are a required component of most educator preparation programs, and are relied upon to meet minimum thresholds for clinical practice hours and for experiences necessary to facilitate completion of performance assessments for prospective teachers and administrators. For the remainder of the 2019-20 school year, these interactions are taking place through a wide range of distance learning opportunities. College and/or university coursework is often required to be completed in order for many credentials and permits to be renewed or reissued as well.

Additionally, entities that administer examinations required for certification in California closed testing centers and cancelled scheduled examinations in response to COVID-19. These closures left no options for educators, candidates, and applicants to take examinations required for entry into or exit from educator preparation programs. The testing center closures also prevented educators who must complete examinations for renewal/reissuance of a credential or permit to do so.

1. Consideration of Deferral of the CBEST for Credential Applicants

Multiple sections of statute reference the state's basic skills requirement (BSR) and provide pathways for educators to meet this requirement. Most all of California's credentials and permits require the completion of BSR, as outlined in EC section 44252, subsection (b). EC also stipulates that the Commission administer the state basic skills proficiency test, which is done through the California Basic Education Skills Test, or CBEST. The testing centers that administer the CBEST are currently closed due to the COVID-19 Health and Safety Restrictions.

Another section of the EC, section 44252.8, gives the Commission the authority to defer the basic skills requirement in certain circumstances:

The commission may defer the state basic skills proficiency test requirement in any case when illness, a family death, or another similar and justifiable personal reason prevented a credential applicant who had registered to take the test from taking the test, or in any case when circumstances entirely beyond the control of the applicant prevented his or her receipt of proof of having passed the test. However, the commission shall not grant a deferral to any person who has failed the state basic skills proficiency test.

Any person granted a deferral pursuant to this section shall take the state basic skills proficiency test at the next available opportunity, or the deferral shall terminate. If any person granted a deferral fails to pass the test, the deferral shall terminate.

As the current health and safety conditions have resulted in the closures of testing centers that administer CBEST, staff have received multiple requests that the Commission consider ways to

relieve the requirement for educators to meet BSR for issuance of credentials and permits. To address these circumstances, the Commission could act to defer the BSR examination for applicants impacted by the health and safety restrictions related to COVID-19. Pursuant to statute, this deferral would not be available to any individual who has previously taken and failed the CBEST.

2. Consideration of Extensions and Renewals of Credentials and Permits for Educators who were Unable to Complete Renewal Requirements

The current health and safety conditions have created multiple barriers for many credential and permit holders to apply for renewal or reissuance of their document. Staff has heard from countless educators that they are finding it challenging to meet the various renewal requirement of their existing credentials and permits.

Credentials and Permits Eligible for Extensions

The Commission has an existing process in place for extending the term of a credential or permit when an educator needs additional time to complete requirements for renewal or reissuance. Under Title 5, CCR section [80523](#), extensions of one year may be given when an applicant is able to “demonstrate good cause for requesting an extension of time to complete requirements.” This extension of time is available to the following document types:

- **Preliminary Teaching Credentials**, including California, out-of-state, and outside the United States prepared credential holders
- **Preliminary Services Credentials**, including California and out-of-state prepared credential holders
- **Emergency Permits**, including Limited Assignment Permits, English learner and bilingual permits, and Teaching Permits for Statutory Leave
- **Child Development Permits**
- **Intern Credentials**, including teaching and administrative interns

Current practice requires educators to verify the applicant’s good cause to request an extension. Flexibility in the regulation allows for Commission staff to consider the current health and safety condition related to COVID-19 as good cause for the extension of time on a qualifying credential or permit. If directed by the Commission, staff could begin to grant one year extensions to qualifying credentials and permits when a hardship related to COVID-19 is identified.

Credentials and Permits Not Eligible for Extensions

Not all Commission-issued credentials and permits are eligible to be extended under the provisions of CCR 80523. Specifically, there are two categories of credentials and permits that cannot be extended, discussed in the sections below.

Clear Credentials Not Renewed Timely

The first includes clear credential holders whose only requirement for renewal is to maintain fingerprint clearance and submit an application and processing fee for timely renewal. These credential holders are not eligible for an extension of time because they do not have any

renewal requirements to complete. Instead these educators are only required to maintain fingerprinting with the Commission and submit their renewal application and processing fee prior to their credential's expiration date. When done timely, these educators will have their credentials renewed without a lapse in validity. The following credentials fall under this group:

- **Clear Teaching Credentials**, including Multiple Subject, Single Subject, Education Specialist, Career Technical, and Adult Education Credentials
- **Clear Services Credentials**, including Administrative Services, Pupil Personnel Services, Speech-Language Pathologists, Teacher Librarian, and Health Services

Educators with clear credentials may not have been able to complete the application process timely, or if needed, may not have been able to complete fingerprinting when expired, due to the upheaval related to the state's shelter-in-place order. To address this, the Commission could take action based on the authority outlined in another section of regulations. Specifically, [Title 5, CCR section 80496](#), allows such clear credential holders to be eligible for a renewal of their document based on Commission action. This section of regulation states the following:

In the event the holder of a Ryan Act teaching or services credential, granted in accordance with the Teacher Preparation Law of 1970, fails to meet renewal or reissuance requirements specified by the Commission because of illness of the applicant or immediate family, military service, or other serious reasons, the holder may petition the Commission for a new preliminary, postponement, emergency, or clear credential. The issuance shall be within the discretion of the Commission after it has given due consideration to the circumstances set forth in the petition.

Such action would allow renewals for clear credential holders impacted by the health and safety conditions related to COVID-19. Such educators would be eligible to submit an application for a five-year clear document renewal without having a lapse in validity of their credential.

Provisional Internship and Short-Term Staff Permits

The second category of educators that are ineligible for extensions includes document holders whose documents are not renewable because the document held is intended to serve as a bridge for educators who are working through a teacher preparation pathway. The following documents fall into this group:

- **Provisional Internship Permits**
- **Short-Term Staff Permits**

Educators that are employed on Provisional Internship and Short-Term Staff Permits and were working towards completion of coursework, examinations, or other requirements necessary for enrollment in a teacher preparation program have expressed that the current health and safety conditions related to COVID-19 have impaired their ability to complete such requirements. Unfortunately, despite the circumstances, these educators would not be eligible for an extension or re-issuance of their document under either section of regulations.

3. Consideration of a Variable Term Waiver for Commission-Approved Programs

As the current public health crisis related to COVID-19 constitutes an extraordinary and unanticipated circumstance, Commission staff have received multiple inquiries related to possible waivers for impacted individuals. To accommodate these requests, this agenda item brings forward official requests from Commission-approved institutions for VTWs for candidates impacted due to the COVID-19 health and safety restrictions. A complete list of institutions that have submitted this official request is provided in [Appendix A](#).

The VTW related to COVID-19 would be most appropriate for any educator preparation program that has clinical practice, coursework, or examination requirements that cannot be met due to COVID-19, including but not limited to the following educator preparation programs:

- Preliminary Multiple and Single Subject
- Preliminary Education Specialist
- Preliminary Administrative Services
- PPS-School Counseling
- PPS- School Psychology
- PPS- School Social Work
- Teacher Librarian
- School Nurse
- Adapted Physical Education

Variable Term Waiver Criteria

Programs that submitted a waiver request to the Commission did so for all candidates who have been impacted by the health and safety restrictions related to the COVID-19 public health crisis, and who were:

1. Making appropriate progress towards completion of their program requirements;
2. On track to complete their preparation program by July 1, 2020; and
3. Not able to complete one or more of the following (to be verified in writing by the Commission-approved program upon application):
 - a. Clinical practice hours required for program completion;
 - b. Coursework required for program completion;
 - c. Examinations required for program completion; or
 - d. A performance assessment required for program completion.

Subsequent Waiver Criteria

Because the current public health crisis is evolving on a weekly basis, it is impossible to predict whether candidates eligible for the COVID-19 VTW would be able to complete all program requirements within the one-year term of a waiver. In the event that such hardships continue to be ongoing beyond the one-year term of a VTW, the Commission could allow the re-issuance of the VTW as outlined in CCR section 80124 and with verification from the program that the candidate made sufficient progress towards completion of the program during the one-year term of the initial waiver.

Staff Recommendation

Staff recommends that the Commission take the following actions to assist applicants, educators, and credential candidates that are impacted by the health and safety conditions related to COVID-19:

1) *Authorize the Deferral of the Basic Skills Requirement*

Staff recommends that the Commission allow applicants that were unable to complete the BSR examination due to the health and safety restrictions related to COVID-19 between March 19, 2020 and September 1, 2020 to defer CBEST. Pursuant to statute, such deferral shall not be allowed for applicants that have previously failed the CBEST examination. Staff recommends that the Commission define the deferral period as one year, beginning with the date the credential is issued.

2) *Identify Hardships Related to COVID-19 as “Good Cause” for Extensions*

Staff recommends that the Commission identify that hardships related to COVID-19, and circumstances caused by the current health and safety crisis, be considered as “good cause” for requests for extension of one year on eligible credentials and permits. Such extensions shall require verification, in writing, that the credential holder was impacted by such health and safety restrictions and an explanation as to why the credential holder was unable to complete their renewal requirements.

3) *Authorize Renewals of Clear Credentials*

Staff recommends that the Commission authorize the renewal of clear teaching or services credentials under the provisions of Title 5, CCR 80496 where the holder was unable to apply for timely renewal due to a health and safety restriction in place related to COVID-19. Such renewal shall require verification, in writing, that the credential holder was impacted by such health and safety restrictions and an explanation as to why the credential holder was unable to renew timely. Such renewals shall be for the full five year term of the clear credential as of the date of expiration of the renewed credential, resulting in no lapse of validity.

4) *Authorize the Issuance of Variable Term Waivers for Credential Candidates*

Staff recommends that the Commission authorize the Variable Term Waiver requests submitted by Commission-approved institutions on behalf of credential candidates that have been impacted by the emergency health and safety conditions related to COVID-19.

Staff also recommends that the Commission approve the option for Commission-approved institutions to submit one-time requests for reissuance of such waivers pursuant to Title 5, CCR section 80124 when candidates have shown continued progress towards completion of the preparation program.

Next Steps

If the above recommended actions are approved, staff will move forward as follows:

- 1) Should the Commission move to grant the deferral of the BSR examination, staff will process these applications accordingly based on the date range approved by the

Commission, and will keep record of the deferrals pursuant to EC section 44252.8. Educators granted credentials issued with a deferral of the BSR examination would be required to complete the CBEST examination within one year of issuance of their document.

- 2) Should the Commission move to consider hardships related to COVID-19 as “good cause” to request an extension of time on a credential or permit, staff will process these applications accordingly.
- 3) Should the Commission move to allow the renewal of clear credentials where the holder failed to renew timely, staff will process these applications accordingly based on the criteria set forth by the Commission, without a lapse in validity.
- 4) Should the Commission authorize the issuance of VTW requests submitted by Commission-approved institutions on behalf of credential candidates that have been impacted by the emergency health and safety conditions related to COVID-19, staff will immediately release guidance and a dedicated COVID-19 waiver application form so that Commission-approved institutions may begin submitting the necessary materials to Commission staff for processing. Once issued, the COVID-19 VTW would give the candidate one year of additional time to complete credential requirements, while also authorizing the individual to teach or provide the services associated with their respective credential.

Appendix A

Approved Programs Requesting Variable Term Waivers for Candidates Affected by the Public Health and Safety Crisis Related to COVID-19

1. California Polytechnic State University, San Luis Obispo
2. California State Polytechnic University, Pomona
3. California State University, Bakersfield
4. California State University, Channel Islands
5. California State University, Chico
6. California State University, Dominguez Hills
7. California State University, East Bay
8. California State University, Fresno
9. California State University, Fullerton
10. California State University, Long Beach
11. California State University, Los Angeles
12. California State University, Monterey Bay
13. California State University, Northridge
14. California State University, Sacramento
15. California State University, San Bernardino
16. California State University, San Marcos
17. California State University, Stanislaus
18. CalState TEACH
19. Humboldt State University
20. San Diego State University
21. San Francisco State University
22. San Jose State University
23. Sonoma State University
24. Antioch University
25. Bay Area School of Enterprise (REACH Institute)
26. Concordia University Irvine
27. Davis Joint Unified School District
28. Fortune School of Education
29. High Tech High
30. Las Virgenes Unified School District
31. Loma Linda University
32. Los Angeles County Office of Education
33. Los Angeles Unified School District
34. Madera County Office of Education
35. Palmdale School District
36. Placer County Office of Education
37. Riverside County Office of Education
38. Sacramento County Office of Education
39. San Diego County Office of Education
40. San Francisco Unified School District
41. San Mateo County Office of Education
42. Santa Barbara County Education Office
43. Santa Clara County Office of Education
44. Shasta County Office of Education
45. Sonoma County Office of Education
46. Summit Public Schools
47. Washington Unified School District
48. Academy of Art University
49. Alliant International University
50. Azusa Pacific University
51. Bard College
52. Biola University
53. Brandman University
54. California Baptist University
55. California Lutheran University
56. Chapman University
57. Claremont Graduate University
58. Dominican University of California
59. Fresno Pacific University
60. Hebrew Union College
61. High Tech High Graduate School of Education
62. Holy Names University
63. Hope International University
64. Humphreys University
65. La Sierra University
66. Loyola Marymount University
67. Mills College

68. Mount St. Mary's University
69. National University
70. Notre Dame de Namur University
71. Pacific Oaks College
72. Pacific Union College
73. Pepperdine University
74. Point Loma Nazarene University
75. San Diego Christian College
76. Santa Clara University
77. Simpson University
78. St. Mary's College of California
79. Stanford University
80. Teachers College of San Joaquin
81. The Master's College
82. Touro University
83. University of La Verne
84. University of Phoenix
85. University of Redlands
86. University of San Diego
87. University of San Francisco
88. University of Southern California
89. University of the Pacific
90. Vanguard University
91. Western Governors University
92. Westmont College
93. Whittier College
94. William Jessup University
95. University of California, Berkeley
96. University of California, Davis
97. University of California, Irvine
98. University of California, Los Angeles
99. University of California, Merced
100. University of California, Riverside
101. University of California, San Diego
102. University of California, Santa Barbara
103. University of California, Santa Cruz