



by that time or may be submitted at the public hearing. You may fax your response to (916) 327-3166; write to the California Commission on Teacher Credentialing, attention Dale Janssen, 1900 Capitol Avenue, Sacramento, CA 95814; or submit an e-mail at [djanssen@ctc.ca.gov](mailto:djanssen@ctc.ca.gov).

Any written comments received 14 days prior to the public hearing will be reproduced by the Commission's staff for each Commissioner as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

### Authority and Reference

Education Code Section 44225 authorizes the Commission to adopt the proposed actions, which will implement, interpret or make specific sections 44252 of the Education Code and govern the procedures of the Commission.

### **Informative Digest/Policy Statement Overview**

#### Summary of Existing Laws and Regulations

Education Code Section 44225 provides that the Commission may promulgate rules and regulations.

**80001(i)** Staff is proposing that the Commission define “signature” or “signed” to include electronic signatures. The second phase of the Teacher Credential Service Improvement Project (TCSIP) is for teachers to renew their documents on the Internet. In order to accept an application completed on the Internet the Commission will need to accept an electronic signature.

**80001(m)** Staff is proposing that documentation submitted to the Commission may be submitted via traditional methods or electronically. The third phase of the TCSIP includes the development of a process for colleges and universities to submit documentation for certification via an electronic process. The proposed language for this section clarifies that the Commission may accept documentation through an electronic process.

**80434** This is a new section that is being proposed to clarify that the Commission may accept an electronic signature on forms that are required for certification or any other process where the Commission may require a signature.

The State of California is encouraging state agencies to utilize the Internet to conduct processes or e-commerce that can be adapted to the Internet. Phase 2 of the Teacher Credential Service Improvement Project (TCSIP), a Commission on Teacher Credentialing technology project, is being developed to allow teachers and day-to-day substitutes to renew their credentials on the Internet. For the Commission to process the online application it must accept an electronic signature in place of a manual signature. The proposed addition to the definitions in Title 5 and the addition of a new section accepting electronic signatures will clarify that the Commission can accept an electronic signature for the Oath and Affidavit section of the application. An application is not considered complete until the Oath and Affidavit section is signed. This section states that the applicant swears or affirms that he or she will support the United States and State of California Constitutions and the laws of the United States and the State. The Oath and Affidavit also requires the applicant to certify or declare under penalty of perjury under

the laws of the State of California that the statements made on the application are true and correct. The teacher renewing a credential online will be required to check a box that includes the wording from the Oath and Affidavit as well as type in the City, State/Province/Region, County and Country. By checking this box and completing the location information the applicant solemnly swears or affirms the Oath and Affidavit.

The second addition to the Title 5 definitions pertains to the acceptance of documentation submitted electronically. Phase 3 of the TCSIP includes the development of a method for Commission stakeholders to submit documentation electronically. The addition of “submitted” to the Title 5 definitions will clarify that the Commission will have the authority to accept non-paper based documentation. The plan for Phase 3 is for colleges and universities to submit transcripts and other documentation for certification via electronic means.

#### Documents Incorporated by Reference

None

#### **Disclosures Regarding the Proposed Actions**

The Commission has made the following initial determinations:

Mandated costs to local agencies or school districts: None

Other non-discretionary costs or savings imposed upon local agencies: None

Cost or savings to any state agency: None

Cost or savings in federal funding to the state: None

Significant effect on housing costs: None

Significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

Cost impacts on a representative private person or business: The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Assessment regarding the creation or elimination of jobs in California (Govt. Code §11346.3(b)): The Commission has made an assessment that the proposed amendment to the regulation(s) would not (1) create nor eliminate jobs within California, (2) create new business or eliminate existing businesses within California, and (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: The Commission has determined that the proposed amendment to the regulations does not effect small business. The regulations are not mandatory but an option that effects public school districts and county offices of education.

#### **Consideration of Alternatives**

The Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the actions are proposed or would be as effective and less burdensome to affected private persons or small businesses than the proposed action. Interested individuals may present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

**Contact Person/Further Information**

Inquiries concerning the substance of the proposed action may be directed to Dale Janssen at (916) 323-5065 or Dale Janssen, Commission on Teacher Credentialing, 1900 Capitol Ave. Sacramento, CA 95814. Inquiries may also be directed to Rhonda Stearns at (916) 323-7140 or at the same address as mentioned in the previous sentence. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. Also available upon request is a copy of the documents incorporated by reference. This information is also available on the Commission's web-site at <<http://www.ctc.ca.gov>>. In addition, all the information on which this proposal is based is available for inspection and copying.

**Availability of Statement of Reasons and Text of Proposed Regulations**

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of regulations, and the initial statement of reasons.

**Modification of Proposed Action(s)**

If the Commission proposes to modify the actions hereby proposed, the modifications (other than non-substantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

**Availability of Final Statement of Reasons**

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rulemaking package, after the public hearing. When it is available, it will be placed on the Commission's web site at <<http://www.ctc.ca.gov>> or you may obtain a copy by contacting Dale Janssen at (916) 323-5065.

**Availability of Documents on the Internet**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of the regulations in underline and strikeout can be accessed through the Commission's web site at [www.ctc.ca.gov](http://www.ctc.ca.gov).

**Proposed Amendments to Section 80001 Definitions and Terms, Division VIII of  
Title 5 California Code of Regulations**

For purposes of Part VIII:

- (a) "Applicant" means any applicant for a credential issued by the Commission.
- (b) "Application for a credential" includes an application for a credential, an application for a renewal 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.
- (c) "Chairman" means the Chairman of the Commission pursuant to Education Code Section 44218.
- (d) "Commission" means the Commission on Teacher Credentialing as defined in Education Code Section 44203(a) and as constituted under Education Code Section 44210.
- (e) "Credential" means any credential, life diploma, permit, or document issued by, or under the jurisdiction of, the Commission which entitles the holder thereof to perform services for which certification qualifications are required.
- (f) "Degree" means a baccalaureate or higher degree as specified in Education Code Section 44259(a) 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 Secretary" means the Executive Secretary 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-Chairman" means the Vice-Chairman to 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.

Authority cited: Section 44225, Education Code. Reference: Section 44252, Education Code

**Proposed Addition of Section 80434 Acceptance of Electronic Signature, Division  
VIII of Title 5 California Code of Regulations**

An “electronic signature” may be used to sign any document required by the  
Commission.

Authority cited: Section 44225, Education Code. Reference: Section 44252, Education  
Code

**CALIFORNIA COMMISSION ON TEACHER CREDENTIALING**

Box 944270  
Sacramento, California 94244-2700  
(916) 445-7254 Web Site: <http://www.ctc.ca.gov>  
E-Mail: [credentials@ctc.ca.gov](mailto:credentials@ctc.ca.gov)



Attn.: Dale Janssen  
CAW Division

Title: Definitions and Terms and  
Acceptance of Electronic Signatures  
Section Nos.: 80001 & 80434

**Response to the Attached Title 5 Regulations**

So that the Commission on Teacher Credentialing can more clearly estimate the general field response to the attached Title 5 regulations, please return this response form to the Commission, attention Dale Janssen, at the above addressor fax to his attention at (916) 327-3166. Respond by 5:00 pm on September 4, 2002 in order that the material can be presented at the September 5, 2002 public hearing.

1.  **Yes**, I agree with the proposed Title 5 regulations. Please count me in favor of these regulations.
2.  **No**, I do not agree with the proposed Title 5 Regulations for the following reasons: (If additional \_\_\_\_\_ space is needed, use the reverse side of this sheet.)
3.  Personal opinion of the undersigned. and/or
4.  Organizational opinion representing: \_\_\_\_\_  
(Circle One) School District, County Schools, College, University, Professional Organization, Other
5.  I shall be at the public hearing, place my name on the list for making a presentation to the Commission.
6.  No, I will not make a presentation to the Commission at the public hearing.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Employer/Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

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