

**CALIFORNIA COMMISSION ON TEACHER CREDENTIALING**

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## OFFICE OF THE EXECUTIVE DIRECTOR

DATE: December 6, 2004 04-0010

TO: All Individuals and Groups Interested in the Activities of the Commission on Teacher Credentialing

FROM: Sam W. Swofford, Ed.D.  
Executive Director

SUBJECT: Proposed Addition of Sections 80021 and 80021.1 Pertaining To Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit and Multiple Subject, Single Subject or Education Specialist Provisional Internship Permit

**Notice of Public Hearing is Hereby Given:**

In accordance with Commission policy, proposed Title 5 Regulations are being distributed prior to the public hearing. A copy of the proposed regulations is attached. The added text is underlined, while the ~~deleted~~ text is lined-through. The public hearing is scheduled on:

February 1, 2005  
10:00 am  
California Commission on Teacher Credentialing  
1900 Capitol Avenue  
Sacramento, CA 95814

**Statement of Reasons**

The Commission at its December 2003 meeting took action to discontinue the issuance of emergency permits based on the following timeline:

<b>July 1, 2004</b>	<b>July 1, 2005</b>	<b>July 1, 2006</b>
<p><b>Allow</b> initial issuance with statement that permits may be reissued one time and all reissued permit will expire 6/30/06.</p> <p><b>Continue</b> renewal issuance with statement that the permits may be issued one more time and all reissued permit will expire on 6/30/06</p>	<p><b>Allow</b> initial issuance throughout the school year, however all permits will expire on 6/30/06.</p> <p><b>Allow</b> initial issuance of the Short-Term Staff Permit and Provisional Internship Permit.</p> <p><b>Continue</b> renewal issuance throughout the school year, however all permits will expire on 6/30/06.</p>	<p><b>Issuance</b> only of Short-Term Staff Permit and Provisional Internship Permit.</p>

Several organizations testified at both the Commission’s 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.

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, the stakeholders 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, the stakeholders 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.

## **Proposed Addition to Title 5 Regulations**

### **§80021 Multiple Subject, Single Subject or Education Specialist 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.

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

This 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 a No Child Left Behind compliant document such as an Individualized Internship Certificate or a University or District Internship credential.

### **Reports Relied Upon in Preparing Regulations**

The Commission did not rely upon any technical, theoretical or empirical studies, reports or documents in proposing the adoption of these regulations amendments.

### **Documents Incorporated by Reference**

None

### **Office of Administrative Law's Identification Number**

The Office of Administrative Law's identification number for this proposal is Z-04-1203-01.

### **Written Comment Period and Submission of Written Comments**

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail on the proposed action. The written comment period closes at 5:00 p.m. on January 31, 2005. Comments must be received 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 21 days prior to the public hearing will be reproduced by the Commission's staff for each member of the Commission 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.

### **Public Hearing**

Oral comments on the proposed action will be taken at the public hearing. We would appreciate 14 days advance notice in order to schedule sufficient time on the agenda for all speakers. Please contact Dale Janssen at (916) 323-5065 regarding this.

Any person wishing to submit written comments at the public hearing may do so. It is requested, but not required, that persons submitting such comments provide fifty copies to be distributed to the Commission and interested members of the public. All written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

### **Modification of Proposed Action(s)**

If the Commission proposes to modify the action(s) 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.

### **Contact Person/Further Information**

General or substantive inquiries concerning 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. General question inquiries may also be directed to Debra Moss at (916) 322-4974 or at the address 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.

**Text of Proposed Addition to Division VIII of Title 5 of the  
California Code of Regulations**

**§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 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.

(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 four times do not qualify for the Short-Term Staff permit.

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

(e) The Short-Term Staff 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.

Note: Authority cited: Section 44225(a) Education Code. Reference: Sections 44225(b), 44225(d) and 44225(l)

### **§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 suitable 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 assist the permit holder in developing a personalized plan through an agency defined assessment that would lead to subject matter competence that is related to the Provisional Internship Permit.

(D) That the employing agency will 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 will 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 a 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:

(1) A Multiple Subject Provisional Internship Permit authorizes the same service as a Multiple Subject Teaching Credential.

(2) 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, and advertising in print or electronic media.

Note: Authority cited: Section 44225(a) Education Code. Reference: Sections 44225(b), 44225(d) and 44225(l)

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Attn.: Dale Janssen — CAW Division

Title: Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit and Multiple Subject, Single Subject or Education Specialist Provisional Internship Permit  
Section Nos.: 80021 and 80021.1

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 address or fax to his attention at (916) 322-0048. Respond by 5:00 pm on January 31, 2005 in order that the material can be presented at the February 1, 2005 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: \_\_\_\_\_

route to dj