

COMMISSION FOR TEACHER PREPARATION AND LICENSING

1020 O STREET
SACRAMENTO, CALIFORNIA 95814
(916) 445-0184



OFFICE OF THE EXECUTIVE SECRETARY

June 10, 1981

80-8129

TO: All Individuals and Groups Interested
in the Activities of the Commission for
Teacher Preparation and Licensing

FROM: John F. Brown, Executive Secretary

SUBJECT: Public Hearings to Review Title 5 Regulations

The Commission for Teacher Preparation and Licensing has scheduled five (5) public hearings to review its Title 5 Regulations in accordance with AB 1111. This recently enacted legislation requires state agencies to conduct a comprehensive review of all regulations added to the California Administrative Code prior to July 1, 1980.

Each regulation is to be analyzed and assessed against five specific standards: Necessity, authority, clarity, consistency and reference (see page 9 for definitions of these standards).

As a result of the review, the Commission will ascertain which of its regulations do or do not meet the five standards. The Commission will then state its intent to retain those regulations that do meet standards, or its intent to amend or repeal those regulations that do not meet standards. Action to actually amend or repeal any regulation would not be taken without holding a subsequent public hearing for that specific purpose.

The affected Commission regulations have been divided into five groups. A different group of regulations will be reviewed at each of the five public hearings. The schedule that follows identifies the specific regulations that will be reviewed at each public hearing, as well as the date, time and place of the public hearings.

PUBLIC HEARING FOR THE SECTIONS BELOW
WILL BE HELD ON AUGUST 6, 1981 AT THE
MANSION INN, 700 16TH STREET, IN
SACRAMENTO, CALIFORNIA AT 1:30 p.m.

Regulations to be reviewed at this public hearing:

Part VIII Commission for Teacher Preparation and Licensing

Chapter 1. Credentials Issued Under the Teacher Preparation and Licensing Law of 1970

Article 1. General Provisions and Definitions

Public Hearing Section

- 8/6/81 80000 Scope
- " 80000.1 Continuation of Rights
- " 80001 Definitions and Terms
- " 80002 Issuance of Prior Credentials
- " 80005 Subsumed Subjects
- " 80006 Reading Instruction

Article 2. Credential Types, Authorizations and Requirements

- " 80025.1 Temporary County Certificate
- " 80032.2 Special Education Training for Teachers and Administrators
- " 80033 Ryan Life Credentials
- " 80034 Designated Subjects Teaching Credential
- " 80035 Prerequisite to Issuance of Credential
- " 80036 Specific Requirements
- " 80037 Authorization for Service
- " 80038 Preliminary Credential for Full Time Service
- " 80039 Preliminary Credential for Part Time Service
- " 80040 Authorization for Supervision and Coordination of Designated Subjects Programs
- " 80041 Types of Designated Subjects Credentials for Adult Education
- " 80041.1 Terms and Requirements for Issuance
- " 80041.2 Authorization for Service
- " 80041.3 Requirements for the Credential
- " 80041.4 Requirements and Procedures for Agencies Recommending for Designated Subjects Credentials for Adult Education
- " 80043 Statement of Employment and Verification of Qualifications
- " 80044 Scope of Eminence
- " 80045 Reissuance of Eminence Credential
- " 80046 Term of Issuance, Reissuance, and Renewal
- " 80048 Specialist Instruction Credential
- " 80049 Services Credential with a Specialization in Pupil Personnel Services
- " 80050 Services Credential with a Specialization in Health Services
- " 80051 Services Credential with Specialization in Health Services Other Than School Nurse
- " 80052 Authorization for Service
- " 80053 Services Credential Authorizing Service as a Librarian

<u>Public Hearing</u>	<u>Section</u>	
8/6/81	80054	Services Credential with a Specialization in Administrative Services
"	80055	Internship Credential
"	80055.1	Exchange Certificated Credential
"	80055.2	Sojourn Certificated Employee Credential
"	80058.2	Continuance and Extension of Service
"	80061	Teaching Educationally Handicapped; Specialist Instruction Credential Required After August 31, 1976
"	80065.1	Supervision and Coordination Authorization of the Bilingual Crosscultural Specialist Instruction Credential

Article 3. Subject Matter Examinations and Examination Waivers

"	80071.1	Oral Proficiency Examinations for Single Subject Language Authorization
"	80071.2	Writing Proficiency Examination for Single Subject English Language Authorization
"	80072	Appeal Upon Failure to Pass Subject Matter Examination
"	80073	Board of Examiners
"	80074	Members of the Board of Examiners
"	80075	Oral Examination
"	80076	Board of Examiners' Fee
"	80077	Examination Processing Fee
"	80085	Waiver Policy; General Requirements
"	80086	Subject Matter Categories with Distinct Disciplines
"	80087	Institutional Procedures and Standards
"	80088	Use of State Curriculum Frameworks
"	80092	Period of Validity of Waiver Subject Matter Program
"	80093	Completion of Waiver Subject Matter Program; Subsequent Examination Not Required
"	80094	Institutionally Approved Subject Matter Equivalencies

Article 4. Revocation and Suspension of Credentials and Certificates

"	80095	Notice of Cancellation of Credentials
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Article 5. Permits Authorizing Service in Children's Centers

"	80105	Definitions
"	80106	Filing of Credentials Deemed Permits
"	80107	Application Procedure and Date of Issuance of a Permit

Commission for Teacher Preparation and Licensing
1020 O Street, Room 222, Sacramento, California

REVIEW RESPONSE FORM - REGULATIONS TO BE REVIEWED
AT THE PUBLIC HEARING ON NOVEMBER 5, 1981

So that the Commission for Teacher Preparation and Licensing can more clearly estimate the general field response to the attached Title 5 Regulations which are scheduled for review, please return this form to the Commission Office at the above address by October 21, 1981.

1. The following Title 5 Regulations should be amended:
(Include the following information: Section number of the regulation; brief description of the recommended amendment; statement of facts to support your recommendation; and the specific standards (necessity, authority, clarity, consistency and reference) that the regulation does not meet.)

2. The following Title 5 Regulations should be repealed:
(Include the following information: Section number of the regulation; statement of facts to support your recommendation; and the specific standards (necessity, authority, clarity, consistency and reference) that the regulation does not meet.)

Commission for Teacher Preparation and Licensing
1020 O Street, Room 222, Sacramento, California

REVIEW RESPONSE FORM - REGULATIONS TO BE REVIEWED
AT THE PUBLIC HEARING ON OCTOBER 1, 1981

So that the Commission for Teacher Preparation and Licensing can more clearly estimate the general field response to the attached Title 5 Regulations which are scheduled for review, please return this form to the Commission Office at the above address by September 16, 1981.

1. The following Title 5 Regulations should be amended:
(Include the following information: Section number of the regulation; brief description of the recommended amendment; statement of facts to support your recommendation; and the specific standards (necessity, authority, clarity, consistency and reference) that the regulation does not meet.)

2. The following Title 5 Regulations should be repealed:
(Include the following information: Section number of the regulation; statement of facts to support your recommendation; and the specific standards (necessity, authority, clarity, consistency and reference) that the regulation does not meet.)

2. (continued)

3. Personal Opinion of the undersigned only.

Organization opinion (please specify) _____

4. I shall be at the Public Hearing, place my name on the list for making a presentation to the Commission.

No, I will not make a presentation to the Commission at the Public Hearing.

Name (Print or Type) Date

Title

Representing

Commission for Teacher Preparation and Licensing
1020 O Street, Room 222, Sacramento, California

REVIEW RESPONSE FORM - REGULATIONS TO BE REVIEWED
AT THE PUBLIC HEARING ON SEPTEMBER 3, 1981

So that the Commission for Teacher Preparation and Licensing can more clearly estimate the general field response to the attached Title 5 Regulations which are scheduled for review, please return this form to the Commission Office at the above address by August 19, 1981.

1. The following Title 5 Regulations should be amended:
(Include the following information: Section number of the regulation; brief description of the recommended amendment; statement of facts to support your recommendation; and the specific standards (necessity, authority, clarity, consistency and reference) that the regulation does not meet.)

2. The following Title 5 Regulations should be repealed:
(Include the following information: Section number of the regulation; statement of facts to support your recommendation; and the specific standards (necessity, authority, clarity, consistency and reference) that the regulation does not meet.)

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2. (continued)

3. Personal Opinion of the undersigned only.

Organization opinion (please specify) _____

4. I shall be at the Public Hearing, place my name on the list for making a presentation to the Commission.

No, I will not make a presentation to the Commission at the Public Hearing.

Name (Print or Type) Date

Title _____

Representing _____

Commission for Teacher Preparation and Licensing
1020 O Street, Room 222, Sacramento, California

REVIEW RESPONSE FORM - REGULATIONS TO BE REVIEWED
AT THE PUBLIC HEARING ON AUGUST 6, 1981

So that the Commission for Teacher Preparation and Licensing can more clearly estimate the general field response to the attached Title 5 Regulations which are scheduled for review, please return this form to the Commission Office at the above address by
July 22, 1981

1. The following Title 5 Regulations should be amended:
(Include the following information: Section number of the regulation; brief description of the recommended amendment; statement of facts to support your recommendation; and the specific standards (necessity, authority, clarity, consistency and reference) that the regulation does not meet.)

2. The following Title 5 Regulations should be repealed:
(Include the following information: Section number of the regulation; statement of facts to support your recommendation; and the specific standards (necessity, authority, clarity, consistency and reference) that the regulation does not meet.)

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The public is invited to participate in the review process and is encouraged to present statements or arguments orally or in writing relevant to the regulations under review at the public hearings to be held, as specified above.

If you wish to make an oral presentation regarding any of the regulations being reviewed at a specific public hearing, please bring 30 copies of your material for distribution to the Commissioners and staff. If you can provide your statement to the Commission Office 15 days before the public hearing, at which the regulations have been scheduled for review, sufficient copies of the material will be duplicated and distributed for Commission and staff use. We would also appreciate a call to the Commission Office, (916)445-0184, if you plan to make a presentation in order to schedule sufficient time on the agenda for people who wish to address the Commission.

~~Written statements should be submitted on the attached Review Response Form at least 15 days prior to the public hearing at which that particular regulation is scheduled for review. Five (5) Review Response Forms have been provided, one for each of the five scheduled public hearings.~~

Copies of the existing regulations are available for inspection at the Commission for Teacher Preparation and Licensing, 1020 O Street, Room 222, Sacramento, California; or at the Office of Administrative Law, 1414 K Street, Suite 600, Sacramento, California.

Any questions regarding this review should be directed to Lee Huddy at (916)445-6772.

Attachments-5

Public
Hearing Section

12/3/81 80520 Initiation of Appeal Procedure
" 80523 Time of Filing Appeal
" 80526 Rights of Applicant
" 80529 Closed Hearing
" 80532 Conduct of Hearing
" 80535 Rehearing by the Commission
" 80538 Finality of Decision

Article 7. Application for Life Diplomas
Based on "Prior Regular Credentials"

" 80541 Life Diplomas
" 80544 Application Procedure
" 80547 Materials to Accompany the Application
" 80550 Requirements

Chapter 5. Validation of Service Without a Credential

Article 1. Procedure for Validation

" 80600 Request for Approval of Service
" 80603 Action Upon Receipt of Request
" 80606 Determination of Approval

CRITERIA AND PROCEDURES FOR REVIEW OF TITLE 5
REGULATIONS

Government Code Section 11349 defines the standards as follows:

- (a) "Necessity" means the need for a regulation as demonstrated in the record of the rulemaking proceeding. Section 11342.2 of the Administrative Code states that the purpose of adopting regulations is "...to implement, interpret, make specific or otherwise carry out the provisions of the statute..." and that "... no regulation adopted is valid or effective unless...reasonably necessary to effectuate the purpose of the statute."
- (b) "Authority" means the provision of law which permits or obligates the agency to adopt, amend or repeal a regulation.
- (c) "Clarity" means written or displayed so that the meaning of regulations will be easily understood by those persons directly affected by them.
- (d) "Consistency" means being in harmony with, and not in conflict with or contradictory to, existing laws.
- (e) "Reference" means the statute, court decision or other provisions of law which the agency implements, interprets or makes specific by adopting, amending or repealing a regulation.

<u>Public Hearing</u>	<u>Section</u>	
11/5/81	80457	Acceptance of College of University Work for Purposes of Certification in California
"	80460	Issuance of Credentials
"	80463	Date of Issuance of Credentials
"	80466	Teaching Experience in Lieu of Professional Preparation
"	80469	Delivery of Credentials to a County Superintendent of Schools

Article 3. Recommendation of the Applicant by the Institution

"	80472	Completion of the Approved Program or Its Equivalent
"	80475	Application Form
"	80478	Date of Filing of Application; Date of Issuance
"	80481	Personal Identification Cards
"	80484	Fees

PUBLIC HEARING SCHEDULED FOR THE FOLLOWING SECTIONS WILL BE HELD ON DECEMBER 3, 1981 AT THE CAPITOL PLAZA INN, 300 J STREET, SACRAMENTO, CALIFORNIA AT 1:30 p.m.

Regulations to be reviewed at this public hearing:

Article 4. Fees for Credentials

<u>Public Hearing</u>	<u>Section</u>	
12/3/81	80487	Fees

Article 5. Renewal of and Adding Authorization to Existing Credentials

"	80490	Renewal of Credentials
"	80493	Terms of Issuance and Renewal of Credentials
"	80496	Failure to Renew Because of Illness, Military Service, or Other Serious Reasons

Article 6. Denial of Application for Credentials

"	80505	Definitions
"	80508	Failure to Meet Requirements
"	80511	Duties of the Committee
"	80514	Notice of Denial
"	80517	Date of Denial of Application

<u>Public Hearing</u>	<u>Section</u>	
10/1/81	80311	Reports of Dismissal, Resignation and Other Terminations for Cause of Certificated Employees
"	80312	Initiation of Investigation
"	80313	Request to File Statement of Issues or Accusation Made by Other Persons
"	80314	Discovery Rights and Procedure
"	80315	Right to Counsel
"	80316	Confidentiality of Investigative Material
"	80316.5	Confidential Report of Investigation
"	80317	Notice of Meeting to Consider Allegations
"	80318	Action Committee May Take
"	80318.1	Reconsideration of Committee Action
"	80320	Consent Determinations
"	80321	Committee of Credentials' Reports to the Commission

PUBLIC HEARING FOR THE FOLLOWING SECTIONS
WILL BE HELD ON NOVEMBER 5, 1981 AT THE
HOWARD JOHNSON'S MOTOR LODGE, 2300 AUBURN
BLVD., SACRAMENTO, CALIFORNIA AT 1:30 p.m.

Regulations to be reviewed at this public hearing:

Chapter 4. Procedure for Application For, Adding
Authorization To, and Renewal of Credentials

Article 1. General Provisions

<u>Public Hearing</u>	<u>Section</u>	
11/5/81	80403	Authority for Granting Credentials
"	80406	Methods of Securing a Credential
"	80409	Qualified Applicant
"	80412	Filing of Mailing Address
"	80418	Reading Requirement
"	80421	Health Education Unit Requirement
"	80424	Fifth Year of Study
"	80427	Interruption of Preparation by Military Service

Article 2. Direct Application to the Commission

"	80430	Direct Application; When Permitted
"	80433	Application Form
"	80436	Place of Filing of Application
"	80439	Date of Filing of Application
"	80442	Personal Identification Cards
"	80445	Transcripts of Record
"	80448	Affidavits in Lieu of Official Transcripts
"	80451	Fees
"	80454	Scholarship Requirements