

## COMMISSION ON TEACHER CREDENTIALING

1020 O STREET  
SACRAMENTO, CALIFORNIA 95814OFFICE OF THE EXECUTIVE SECRETARY  
916/445-0184

83-8413

October 24, 1983

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

FROM: John F. Brown, Executive Secretary

SUBJECT: Amendments to Title 5 Regulations Section 80071.4 Implementing  
CBEST Related Statutes

In accordance with Commission policy and administrative regulations in the California Government Code, the above cited Title 5 Regulations are being distributed prior to public hearing. The public hearing to adopt the proposed Title 5 Regulations has been scheduled as follows:

January 5, 1984 1:30 p.m.

Bahia Hotel  
998 West Mission Bay Drive  
San Diego, California 92109

## Background:

The proposed amendments to the regulations implementing CBEST related statutes will result in the following seven major changes:

1. The first change would implement the additional CBEST exemptions provided for in SB 1225. Those exemptions are as follows:
  - (a) applicants for permits not requiring bachelor's degrees [see subsection (b)(4)];
  - (b) applicants for additional teaching authorizations [see subsection (b)(5)];
  - (c) applicants for health service credentials [see subsection (b)(6)]; and
  - (d) applicants for one-year preliminary exchange credentials [see subsection (e)].

2. The second change would implement the CBEST exemption provided for in AB 827. The changes provided for in AB 827 include the following:
  - (a) applicants for a designated subjects vocational education credential issued on or after January 1, 1984 are exempt from the CBEST [see subsection (b) (7)]; and
  - (b) applicants for a designated subjects credential can be issued a one-year preliminary credential, pending the passage of the CBEST on or before December 31, 1983 [see subsection (d)].
3. Subsection (f) adds the requirement, specified in SB 1225, that all credential program applicants must take CBEST, for diagnostic purposes, prior to submission of application for admission. Subsection (f) also cites the credential programs that will be impacted, and subsection (g) clarifies which credential program applicants will be exempt from this provision.
4. Subsections (i) and (j) set a minimum number of regular administrations per year, fix the month when the schedule for the following year will be set, and allow for special administrations in the event of an emergency. They also allow two or more districts or counties to join together for the conduct of a special administration.
5. Subsection (k) describes the information required to be provided by a district or county in support of a request for a special administration.
6. Section (l) states that no special administrations will be arranged for colleges or universities.
7. Sections (m) and (n) simply state formally the change in the rule governing repetition of the CBEST mandated by SB 1225 and describes how scores obtained at different administrations will be used to make the pass-fail determination.

Please feel free to duplicate and distribute these proposed Title 5 Regulations to anyone you believe might be interested in responding.

If you wish to make a presentation regarding the above to the Commission, 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, 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 if you plan to make a presentation in order to schedule sufficient time on the agenda for people who wish to address the Commission.

If you do not want to make a presentation or submit a statement regarding the proposed Title 5 regulations, you can reply on the Response Form on the last page.

PROPOSED CBEST TITLE 5 REGULATIONS

80071.4 Basic Skills Examination

(a) After January 31, 1983, every applicant for a credential, permit or certificate, ~~including an added authorization that has not been issued previously,~~ or for the renewal of an emergency credential ~~or emergency permit~~ shall be required to have obtained a passing score on the California Basic Educational Skills Test (CBEST). The test is not required to renew, reissue or upgrade a credential, certificate or permit ~~or for the issuance of a supplementary authorization as defined in Sections 80057.5 and 80089,~~ except when upgrading a permit would require a baccalaureate degree.

(b) Pursuant to Education Code Section 44252(b), applicants for the following credentials, permits, or certificates are exempt from this requirement:

(1) a credential to be issued solely for teaching adults in an apprenticeship program;

(2) a credential for an adult education designated subject other than an academic subject; and

(3) a certificate of clearance;

(4) a children's center permit or a permit authorizing service in a special center for the handicapped, when a baccalaureate degree is not required;

(5) A credential, certificate, or permit for an additional teaching authorization when the applicant holds a non-emergency credential, certificate or permit that requires a baccalaureate degree and authorizes teaching;

(6) a health services credential.

(7) a Designated Subjects Vocational Education Teaching Credential to be issued on or after January 1, 1984. For the purposes of the CBEST requirement, the Designated Subjects Special Subjects Teaching Credential will be considered equivalent to the Designated Subjects Vocational Education Teaching Credential, unless such credential requires a baccalaureate degree.

(c) Pursuant to Education Code Section 44252(b)(3), a school district can request a one year non-renewable emergency credential after January 31, 1983, and before July 1, 1984 for an individual who has not yet passed the CBEST if all of the following are met:

(1) The school district governing board must certify on the approved form provided by the Commission that:

(A) there is no applicant available for this position who meets credential requirements and has passed the CBEST;

(B) attempts have been made to secure a qualified teacher by common recruiting methods;

(C) the position is necessary for the normal operation of the school curriculum; and

(D) the applicant for the one year non-renewal emergency credential will be hired if the credential is issued.

(2) The applicant for the one year non-renewable emergency credential has:

(A) completed an out-of-state approved professional preparation program for a credential comparable to the credential that would have been awarded by California prior to the introduction of the CBEST requirement;

(B) completed all other minimum requirements for the California credential that would have been awarded prior to the introduction of the CBEST requirement; and

(C) passed a basic skills test developed and administered by the employing school district.

(d) Pursuant to Education Code Section 44253, applicants for a Vocational Designated Subjects Credential can be issued a one-year Preliminary Credential ~~until they have passed~~ pending the passage of the CBEST. Pursuant to Education Code Section 44252(d), the issuance of the one-year Preliminary Vocational Designated Subjects Credential, pending the passage of the CBEST, will not be available after December 31, 1983.

(e) Applicants for an exchange certificated employee credential can be issued a one-year preliminary credential pending the passage of the CBEST.

(f) As of July 28, 1983, all credential program applicants shall take the CBEST for diagnostic purposes no later than the deadline for submission of his/her application for admission to any of the following:

- (1) All services credential programs except health services;
- (2) Multiple Subjects, including the Bilingual/Crosscultural Emphasis credential program;
- (3) Single Subject, including the Bilingual/Crosscultural Emphasis credential program;
- (4) Restricted Severely Handicapped credential program; and
- (5) All internship, experimental, exploratory, and pilot credential programs which are based on any of the programs listed in this subsection.

(g) An individual credential applicant who already holds a valid non-emergency teaching credential that requires a baccalaureate degree and is seeking an additional teaching authorization is exempt from the provisions of subsection (f).

(h) ~~(e)~~ An applicant for any credential, permit, or added authorization certification needing the CBEST, shall be required to have passed it the CBEST only once, regardless of the time that has elapsed between the date of passing the test and the date of the application.

~~(f)~~ The Commission will administer this test at least three times in a calendar year, and at appropriate times during the year so that school district and/or county superintendents will be able to identify a list of people qualified to meet their ordinary needs for substitute teachers.

(i) ~~(f)~~ The Commission will administer this test at least three times in a calendar year at times established after consultation with district and county superintendents and college and university education program administrators. The number of administrations scheduled beyond the minimum of three will be dependent upon the fiscal condition of the Commission and will be determined by the action of the Commission. The schedule for a fiscal or academic year will be determined no less than four months prior to the beginning of the next fiscal year.

~~(g)~~ The Commission will arrange for a special administration of the test within ten working days of receipt of written verification by the local education agency governing board that the conditions specified below have been met. Arrangements for special administration will not be made until this written verification has been received.

(1) Substitutes must be found for at least 25 percent or forty of the teaching staff, whichever is the larger number, at one time.

(2) The district or county agrees to provide space suitable for the test administration, and to provide administrative support in identifying qualified examination proctors and in accomplishing the test registration process.

(3) The district or county agrees to reimburse the Commission for all necessary costs of a special administration that are in excess of those recovered by the applicant test fee that is specified by law.

~~(4) The district or county agrees not to require the credential applicant to pay any of these excess costs.~~

~~(5) The district or county agrees to be responsible for all publicity on any special administration of the CBEST.~~

(j) The Commission will arrange for a special administration of the test in the event that an emergency occurs that could not have been anticipated at least one week before the late registration deadline for the most recent previous regular administration of the test.

The special administration will be scheduled by the Commission as soon as possible but no later than ten working days after receipt of a completed request, except that no special administration will be scheduled in the period three calendar weeks before a scheduled regular administration. No special administration will be scheduled without reasonable assurance that at least forty people will actually register and take the test at the special administration. Two or more districts or counties may jointly participate in a single administration provided each can satisfy the requirements specified in Section 80071.4(k).

~~(h) The Commission will gather and make available annually data on the proportions of examinees who passed the test, grouped on the basis of the California institution of higher education, and other data as the Commission may deem appropriate.~~

(k) The written request for a special administration must include a copy of relevant sections of the official minutes of the district or county governing board and documentation by the superintendent of the specific facts of the emergency.

(1) The minutes of the governing board meeting must show that the board accepts the following conditions:

(A) An emergency exists or is anticipated. Such an emergency shall not be a work stoppage or labor related action.

(B) District or county staff will assist in locating or providing space for the special administration and in the identification of qualified examination proctors, if such assistance is requested by the Commission or its designated agent;

(C) District or county staff will provide administrative support in accomplishing the registration process in a manner that will be consistent with the CBEST registration and reporting system;

(D) The district or county agrees to reimburse the Commission for all necessary costs of a special administration that are in excess of those recovered by the applicant test fee as established in Section 80487(a)(5) of these regulations, including the payment of the full fee for persons not tested, in the event that fewer than forty people are tested at the special administration. The excess administration costs for which a district or county would be obligated would not include reimbursement of test proctors identified by the district or county; these proctors would be reimbursed from test fees.

(E) The district or county agrees not to require that the people taking the test pay any of the excess administrative cost incurred by the district or county.

(2) The superintendent of the district or county shall provide the following information as part of the written request:

(A) A detailed statement on the cause of the emergency and the reasons it could not have been anticipated in time to make use of the most recent previous regular administration;

(B) Documentation on the numbers of substitute or contract teachers needed, the total number of teachers on contract in the district or county, or the average daily number of substitutes used in the preceding year as appropriate to the definition of an emergency cited in the governing board minutes;

(C) A description of the plans for publicizing the special administration to insure that it will be maximally effective in attracting people not previously tested who can meet the emergency needs of the district or county;

(D) A definitive statement about whether admission to the special administration will be limited to people who are potential employees of the district or county requesting the special administration, or will be open to anyone who wishes to take the test;

(E) Designation of the county or district having primary responsibility for administrative arrangements for the special administration, in the event that two or more counties or districts are participating jointly in the special administration.

~~(i) There will be no limit on the number of times an applicant may attempt the test; the test fee for each attempt will be that specified in Section 80487(a)(5) of these regulations.~~

(l) No special administration will be scheduled for a college or university.

(m) There will be no limit on the number of times a person may take the entire test or sections of the test. Section(s) of the test that have been passed need not be repeated, but no person taking the test may omit any section that has not been passed. The test fee for repeating the test will be as specified in Section 80487(a)(5) of these regulations.

(n) In determining whether a person has passed the test, the highest score obtained on any section of the test at any administration will be used without regard to the length of time that has elapsed since the score was obtained.

NOTE: Authority cited: Section 44225, Education Code.  
Reference: Sections 44252 and 44252.5, Education Code

#### HISTORY:

1. New section filed 9-30-82 as an emergency; designated effective 1-1-83 (Register 82, No. 41).
2. Order of repeal of 9-30-82 by OAL pursuant to Government Code Section 11349.6 (Register 82, No. 41).
3. New section filed 11-10-82 as an emergency; effective upon filing (Register 82, No. 48). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 3-10-83.
4. Certificate of Compliance including amendments transmitted to OAL 3-8-83 and filed 3-15-83 (Register 83, No. 12).

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OFFICE OF THE EXECUTIVE SECRETARY

Section(s) 80071.4RESPONSE TO ATTACHED TITLE 5 REGULATIONS

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 coming up for Public Hearing, please return this response to the Commission Office at the above address by December 15, 1983 in order that the material can be presented at the January 5, 1984 Commission meeting.

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 only.  
 Organizational 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.

\_\_\_\_\_  
 (Print or type name) Date \_\_\_\_\_

Title \_\_\_\_\_

Representing: \_\_\_\_\_  
 (Circle One: School District, College, University, Professional Organization, Private Citizen, Other)