

COMMISSION ON TEACHER CREDENTIALING

1020 O STREET
SACRAMENTO, CA 95814
(916)445-0233



October 25, 1984

84-8506

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

FROM: John F. Brown, Executive Secretary

Subject: The Definition of an Out-of-State Applicant for the Purposes
of Issuing the OYNRE Credential

There have been a number of trained, experienced educators who, because they have resided outside of California, have not had an opportunity to take the California Basic Educational Skills Test (CBEST) yet and cannot be employed here in California. Because of this, the Commission wishes to broaden the definition of the equivalent of an out-of-state prepared applicant.

Previously an out-of-state applicant for the one-year Non-renewable Emergency (OYNRE) credential had to be an individual who met one of the three definitions listed below. All of these are based on the assumption that the individual has met all of the minimum requirements for a California credential except for the passage of the CBEST, has passed a district basic skills test and files a complete application packet.

An out-of-state applicant is defined as an individual who:

1. Is applying for any Ryan Credential available as an OYNRE on the basis of having completed an out-of-state professional education program comparable to one offered in California, or
2. Is applying for a Multiple or Single Subject teaching credential on the basis of three years of full-time, out-of-state, elementary or secondary teaching experience within the last ten years while holding or being eligible for that state's regular certificate, or
3. Is applying for a Multiple or Single Subject teaching credential on the basis of eighteen months in a Peace Corps assignment in a foreign country, during which at least 50% of his or her duties consisted of teaching the children of that country.

Using only these three definitions did not seem to fully satisfy the purpose of the OYNRE statutes which are intended to allow districts facing a teacher shortage to employ trained individuals who have not had an opportunity to take the CBEST, yet meet all other requirements for the needed credential. With this in mind, and still staying within the boundaries set by the Education Code, a fourth definition, below, has been added. Again this assumes that the individual has met all of the minimum requirements for a California credential except for the passage of the CBEST.

4. An out-of-state applicant is defined as an individual who is applying for any Ryan credential available as an OYNRE and who satisfies all of the following:
 - a. Has completed a California or out-of-state professional education program prior to February 1, 1983;
 - b. Does not currently hold an appropriate California credential that would allow employment under Education Code 44830(n). The individual may or may not have held a comparable, expired pre-Ryan credential that cannot be reissued;
 - c. Has one year of full-time, out-of-state employment based on that state's certification; and
 - d. Shows evidence that he or she has not had an opportunity to take the CBEST because he or she has resided outside of California for the year prior to application for the OYNRE. The evidence may be an out-of-state driver's license, car registration, voter registration, or verification of employment.

The additional definition will allow employers who need to request OYNRE credentials more freedom in choosing qualified individuals for these positions. Also, it will allow trained, experienced educators who have not had an opportunity to take the CBEST a chance for employment, and it will be equally fair to all applicants who hold out-of-state credentials and have been residents of another state during the previous year.

The following are the two Education Code Sections that pertain to this coded correspondence.

44252(b). Standards and Procedures For Issuance and Renewal.
Basic Skills Proficiency Test; Exemptions (Continued)

(3) A person credentialed in another state who is an applicant for employment in a school district in this state who has passed a basic skills proficiency examination which has been developed and administered by the school district offering that person employment. School districts administering a basic skills proficiency examination under this paragraph shall comply with the requirements of subdivision (h) of Section 44830. Such an applicant shall be granted a nonrenewable emergency credential, valid for not longer than one year, pending fulfillment of the basic skills proficiency requirement pursuant to Section 44261.5. The Commission shall report to the Legislature no later than January 1, 1984, on the number of teachers receiving emergency credentials without fulfilling the basic skills proficiency requirement, the districts in which these teachers are employed, the number of teachers granted clear credentials after the expiration of an emergency credential granted under these conditions, and a comparison of success rate of these teachers on the basic skills test with the success rate of the general pool of credential applicants. This exemption shall remain in effect no later than June 30, 1984.

October 15, 1984

Page 3.

44830(n).

(n) Notwithstanding any other provision of law, a school district may hire a certificated teacher who has not taken the state basic skills proficiency test if that person has not yet been afforded the opportunity to take the test. The person shall then take the test at the earliest opportunity and may remain employed by the district pending the receipt of his or her test results.

Because of the introduction of 44830(n), the person who has a valid credential but has not had an opportunity to take the CBEST, may be employed on basis of that credential.

For those of you who have the Commission on Teacher Credentialing Handbook, please delete #20 on page V-B-4.