

COMMISSION ON TEACHER CREDENTIALING

1812 9TH STREET
SACRAMENTO, CA 94244-2700

(916)445-0184

87-8819

DATE: June 24, 1988

TO: All Individuals and Groups Interested in the Activities
of the Commission on Teacher CredentialingFROM: *Richard Mastain*
Richard K. Mastain, Executive SecretarySUBJECT: Proposed Title 5 Regulations, Subsection (c) of Section
80071.4 Related to the Basic Skills ExaminationNOTICE IS HEREBY GIVEN THAT:

The Commission on Teacher Credentialing will hold a public hearing on:

September 1, 1988
3:30 p.m.
Clarion Hotel
700 16th Street
Sacramento, California

STATEMENT OF REASONS

The present requirement that a one-year non-renewable credential may not be authorized so long as there is any available applicant who meets credential requirements and has passed the California Basic Educational Skills Test, along with the requirement that the school district must have attempted to recruit a qualified teacher by common recruiting methods, has unduly restricted school districts' flexibility to reject credentialed persons whom the school district deems undesirable in favor of persons whom they deem desirable but who have completed all initial credential requirements except for the passage of CBEST.

SUBMISSION OF WRITTEN COMMENT:

A response form is attached for your use in submitting written comments to the Commission's offices at 1812 9th Street, Sacramento, CA 95814-7000, at least one day prior to the date of the public hearing. 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. If you plan to address the Commission at the public hearing, we would appreciate a 14-day advance notice in order to schedule sufficient time on the agenda. You may call Dr. Mastain at (916)445-0184.

PRESENTATION OF WRITTEN COMMENTS AND ORAL TESTIMONY AT PUBLIC HEARING:

Interested persons may present oral comments to the Commission at the scheduled public hearing on these proposed regulations. Any person wishing to submit written comments may also do so at that time. In order for all Commissioners and staff to have the immediate opportunity to review written comments submitted at the hearing, it is requested, but not required, that persons submitting such comments provide twenty-five copies. All written statements submitted at the hearing will, however, be given full consideration pursuant to Government Code Section 11346.8(a) regardless of the number of copies submitted. Comments submitted in writing must be received prior to the close of the public hearing on September 1, 1988, pursuant to Government Code Section 11346.5(a)(8), in order for them to be considered.

CONTACT:

Requests for copies of the proposed regulations (pursuant to Government Code Section 11346.7(a)), for the Initial Statement of Reasons, or for other rulemaking file information, and questions concerning this proposed regulatory action or the public hearing should be addressed to: Dr. Richard K. Mastain, Executive Secretary, Commission on Teacher Credentialing, 1812 9th Street, Sacramento, California 95814-7000, or telephone (916) 445-0184.

Attachments

TEXT OF PROPOSED REGULATIONS

80071.4. Basic Skills Examination.

(a) After January 31, 1983, every applicant for a credential, permit or certificate, or for the renewal of an emergency credential 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 exempt when upgrading a permit would require a baccalaureate degree.

(b) Pursuant to Education Code Sections 44252(b) and (d) 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.

(8) any Designated Subjects Special Subjects Credential for which a baccalaureate degree is not required.

(c) Pursuant to Education Code Section 44252(b)(3), a school district can request a one year non-renewable emergency credential 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)~~ (A) the position is necessary for the normal operation of the school curriculum; and

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

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

(A) satisfied either 1, or 2, below:

1. completed an out-of-state professional preparation program for a credential comparable to the California credential requested; or

2. completed a California approved professional preparation program for the requested credential prior to February 1, 1983 and has resided outside of California for the year immediately preceding application for the one year non-renewable emergency credential.

(B) and completed all minimum requirements for the California credential requested except for the CBEST requirement; and

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

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

(e) An applicant for any credential needing the CBEST shall be required to have passed it 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 establish the schedule of test administrations no less than four months prior to the beginning of the next fiscal year, and will publicize the schedule by all reasonable means as quickly as practicable.

(g) The Commission will arrange for a special administration of the test in the event that an emergency occurs. An emergency for this purpose is a reasonably unforeseeable circumstance which cannot be avoided or a foreseeable one that cannot be accommodated because of the special and unique staff recruitment problems with which a school district or group of districts is faced.

The special administration will be scheduled by the Commission as soon as possible, consistent with the district's schedule for compliance with the requirements of sections 80071.4(h)(1)(B), (h)(1)(C), and (h)(2)(C) below, 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(h).

(h) 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 as defined in subsection (g) exists and is unavoidable..

(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 agrees to pay the full fee required for testing forty persons, even if fewer than forty actually take the test at a special administration.

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

(j) 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.

(k) 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.

(l) 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 the credential program unless the applicant is exempt from the CBEST for the credential.

(m) 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 (l).

(n) The Commission will not consider appeals by credential applicants who have failed to achieve the passing standard established by the Commission at the time the CBEST has been most recently attempted.

(o) The Commission will issue annually a report on the passing rates of various groups on the CBEST, including passing rates by institution attended for the preparation for credentials.

NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44252, 44252.5, 44203 and 44830, Education Code.

COMMISSION ON TEACHER CREDENTIALING

1912 9TH STREET

SACRAMENTO, CA 94244-2700



Basic Skills Examination

OFFICE OF THE EXECUTIVE SECRETARY

Section(s) Subsection (c) of Section 80071.4RESPONSE TO 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 which are coming up for Public Hearing, please return this response to the Commission Office at the above address by August 31, 1988 in order that the material can be presented at the September 1, 1988 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.

Date _____

(Print of Type Name)

Title _____

Representing: _____

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