

CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

1812 Ninth Street
Sacramento, California 95814-7000
(916) 445-0184
FAX (916) 327-3166



OFFICE OF THE EXECUTIVE DIRECTOR

98-9821

DATE: November 16, 1998

TO: Directors of Charter Schools, District and County Superintendents of Schools

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

SUBJECT: Implementation of AB 544 (Lempert) Related to Qualifications for Teachers in Charter Schools

As a result of legislation enacted in the last session of the Legislature, charter schools will no longer be the sole authority for determining the qualifications for persons who teach in such schools. AB 544 (Lempert) becomes effective January 1, 1999. The purpose of this correspondence is to alert you to those changes that affect teacher qualifications.

Subsection (l) of Education Code Section 47605 has been added to the statutes as follows:

Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by the chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, noncollege preparatory courses.

Effective January 1, 1999 all teachers in charter schools will be required to hold either a teaching credential, a long term emergency permit or a waiver of credential requirements approved by the California Commission on Teacher Credentialing. The new statute does not affect the qualifications for any service personnel (administrators, counselors, librarians or others) employed by the charter school. The provisions of the approved charter will continue to prevail in the employment of non-teaching personnel.

The California Department of Education indicates that approximately 30% of existing charter schools do not require their teachers to hold state credentials. These schools will be seriously affected by the change in the statute. Because the

effective date of the legislation occurs in the middle of an academic year, the Commission is concerned about the disruption to student learning that could take place. Teachers in charter schools who do not currently hold California teaching credentials, but who are eligible should apply for the requisite credential immediately. Teachers who meet the requirement for a long-term multiple or single subject emergency permit should also apply immediately unless they choose to seek the credential waiver option through their employing school as described below.

The Commission is aware that there are a number of charter-school teachers who will not meet requirements for credentials or emergency permits. Some who may be eligible for emergency permits may not now intend to seek full certification so will not want to make the commitments necessary under the permit regulations. To minimize disruption, the Commission has approved an interim credential waiver policy for charter-school teachers that will enable the schools to continue to function through the 1998-99 traditional calendar.

Interim Credential Waiver Policy

- The governing body of a charter school shall be eligible to request waivers of credential requirements for specific individuals provided that notice of such intent is posted for public review at the charter school site a minimum of 72 hours prior to submitting such request.
- The Commission will approve credential waiver requests to June 30, 1999 for currently employed teachers in charter schools without conditions, but will inform each recipient of the regulations and criteria that will govern future credential waiver requests.
- The fee for credential waivers considered to June 30, 1999 will be one-half that of the regular fee (\$30).

Implementation Procedures

- Teachers who make application for teaching credentials shall be required to meet all academic and professional standards requirements and pay all applicable fees. Applicants may serve in the teaching positions while the application process continues so long as the county office of education issues a Temporary County Certificate.
- Teachers who meet the qualifications for the appropriate long-term emergency permit will be required to meet all reissue requirements during the one-year validity period of the permit. This will include seeking admission to a credential program and completing a minimum of six semester units of coursework leading toward the credential.

- The governing bodies of charter schools will be given considerable flexibility when making applications for waivers of credentials for the period January 1 through June 30, 1999 only. The teachers for whom such credential waivers are granted will not have to meet any conditions during the six months of the credential waiver and will be required to pay only one-half of the application fee (\$30).
- Teachers who are granted credential waivers to June 30, 1999 will receive information related to the regulations and procedures that govern the credential waiver decisions for all public schools. Teachers in charter schools will be held to the same conditions for credential waivers as those in non-charter schools beginning July 1, 1999.

When requesting a credential waiver under these provisions, the charter school must include the words "**CHARTER SCHOOL**" beneath the school's address in Section 1 of the Commission's Waiver Request Form. The charter school must include a copy of the public notice of intent to employ an individual on a credential waiver which was posted a minimum of 72 hours before the application was submitted to the Commission.

For information about credentials, emergency permits or credential waivers contact the numbers below.

Credentials and Emergency Permits: (916) 445-7254; Fax (916) 445-7255;
E-mail credentials@ctc.ca.gov

Credential Waivers: (916) 323-7136; Fax (916) 445-7255

Assignment Monitoring in Charter Schools

AB 544 requires charter schools to maintain "on file" the credentials, emergency permits or waivers which authorize individuals to teach in the schools. The chartering authority is given the responsibility to conduct "periodic" inspections of such documents. The statute does not define "periodic." Chartering authorities appear to be free to determine the frequency and manner of such periodic inspections.

The Commission has concluded that assignment monitoring in charter schools is not subject to the same statutory provisions that govern non-charter schools. County superintendents of schools are not required to monitor charter schools as a part of their statutory responsibilities. The Commission will not expect to receive information on assignments in charter schools as a part of the annual reports submitted by county superintendents of schools.