



CODED CORRESPONDENCE

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TO:

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

FROM:

Mary Vixie Sandy
Executive Director
Commission on Teacher Credentialing

SUBJECT: Approved Amendments and Addition to Title 5 Regulations Pertaining to Submission of a Complete Paper Application Packet

Summary:

Amendments to Title 5 California Code of Regulations (CCR) §80001 and the addition of §80002 pertaining to submission of a complete paper application packet were approved by the Office of Administrative Law and became effective on January 1, 2016. The new regulations pertain to changes in the Commission's credential application and professional fitness forms individuals are required to complete when applying for a credential, certificate, or permit issued by the Commission.

Key Provisions:*Application Form Revisions*

The *Application for Credential Authorizing Public School Service* (FORM 41-4) and the associated *Instruction and Information Sheet* (41-4 INSTRUCTIONS) were updated with a revision date of 12/2014 to identify the current version of the form to be used when submitting an application to the Commission for a credential, permit, or certificate. In December 2014, new sections were added to the application form to comply with the provisions of Assembly Bill (AB) 2560 (Bonilla, Chap. 110, Stats. 2014) regarding the Child Abuse and Neglect Reporting Act. Versions of Form 41-4 dated prior to 12/2014 are not valid for use and if submitted to the Commission will be returned to the applicant with instructions to use the current version of the form. Also, minor revisions have been made to the forms for purposes of clarity.

In addition, the *Renewal and Reissuance* application form (41-REN) was discontinued in August 2014 and revisions to the *Professional Fitness Explanation Form* (OA-EF) were made in September 2013 for clarity purposes. The approved amendments to 5 CCR §80001 update the revision dates for the FORM 41-4, 41-4 INSTRUCTIONS, and OA-EF form and delete from regulations Form 41-

REN and the related *Renewal and Reissuance Application (FORM 41-REN) Instruction and Information Sheet*.

Complete Application Packet

Each application received by the Commission must include payment of the application fee and the applicant's name, Social Security Number (SSN) or Individual Tax Identification Number (ITIN), and date of birth. These items are required for initial screening and to verify the applicant's identity.

If the name, SSN or ITIN, and date of birth are not provided on the application form or the correct payment is not included, the application is incomplete and the entire application packet, *including supporting materials and payment*, will be returned to the applicant along with a letter requesting the missing information.

In addition, each application must also include the following items in order for staff to complete the evaluation process:

- Current mailing address, including street address, City, State and Zip Code;
- Email address;
- County or school district of employment;
- Selection of a specific type of credential or permit on the application;
- Completion of the Oath and Affidavit section with original signature and date, including county and state where signed;
- All Professional Fitness Questions answered and complete documentation for any disclosure on the applicant's Professional Fitness questionnaire; and
- Evidence of fingerprint submission.

If any of these items are absent from the application packet, the application is incomplete. The fee will be retained and the applicant will be sent a letter requesting additional information. Applicants will have 60 days to submit the required information or the application will be rejected. Applicants not employed in a California school may indicate 'Not applicable' in the County or District of Employment space as appropriate.

If more than one type of document is requested on one application form, the Commission will evaluate the application for the first type of document selected on the application. The applicant will subsequently be sent a letter advising that each additional document sought requires the submission of a separate application, application fee, and supporting materials.

Fingerprint clearance through the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) is required from every applicant prior to the Commission's issuance of any credential, permit, or certificate. Individuals who have received fingerprint clearance through other California agencies, employers, other states or government agencies are not exempt from this process. An evaluation of an application may be completed and an educator's academic



eligibility for a document established but educators will be notified that no document will be issued until fingerprint information is received by the Commission and any fitness review is completed.

The approved regulations 1) update, expand, and consolidate into one section all application requirements and processes to reflect current statutes and regulations; 2) identify the specific elements that must be present for an application packet to be complete, allowing the Certification Division to complete an evaluation of an educator's academic qualifications and the Division of Professional Practices to complete its fitness review; and 3) clarify how an application is handled if it is incomplete.

Important Dates:

The requirements in the provisions of 5 CCR §§80001 and 80002 detailed in this Coded Correspondence are effective as of January 1, 2016.

Background:

Incomplete applications delay educators in their efforts to obtain certification. The approved regulations specify and clarify the items to be submitted with a paper application form that will allow Commission staff to accept the application and fee and complete an evaluation of the educator's qualifications. The approved regulations also update, expand, and consolidate into one section application requirements and processes to reflect current statute and Commission procedures.

In addition, AB 2560 amended §44252 of the Education Code and requires the Commission to make specific revisions to its application forms for all credential types. Application forms have been amended to include a section for educators to verify they understand and will comply with the requirements of the Child Abuse and Neglect Reporting Act [Article 2.5 (commencing with §11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code].

Source:

Education Code §§44225(e) and 44252(2)(C); 5 CCR §§80001 and 80002

References:

Application for Credential Authorizing Public School Service (FORM 41-4):

<http://www.ctc.ca.gov/credentials/leaflets/414.pdf>

Application for Credential Authorizing Public School Service, Instruction and Information Sheet (41-4 INSTRUCTIONS):

<http://www.ctc.ca.gov/credentials/leaflets/414-instructions.pdf>

Professional Fitness Explanation Form (OA-EF):

<http://www.ctc.ca.gov/credentials/online-services/pdf/OA-EF.pdf>



CALIFORNIA CODE OF REGULATIONS
TITLE 5. EDUCATION
DIVISION 8. COMMISSION ON TEACHER CREDENTIALING

§ 80001. Definitions and Terms.

For purposes of Division 8:

- (a) “Applicant” means any applicant for a credential issued by the Commission.
- (b) (1) “Application for a credential” includes an application for a credential, an application for a renewal or reissuance of a credential, an application to add new authorizations to an existing credential, or a request to take any special action in relation to the issuance of a credential.
 - (2) “Application”, “application form”, and “application packet” includes the following forms, regardless of earlier revision dates cited throughout Division 8, Chapter 1 and 4:
 - (A) Application for issuance of a credential, extension of a credential, and added authorizations to an existing credential: Application for Credential Authorizing Public School Service (form 41-4, rev. 12/2014), available on the Commission's website and hereby incorporated by reference, together with its related Instruction and Information Sheet (rev. 12/2014) and Professional Fitness Explanation Form (form OA-EF, 9/2013) or the electronic versions available via the Commission's online recommendation, online direct application, and online renewal systems.
- (c) “Chair” means the Chair of the Commission pursuant to Education Code Section 44218.
- (d) “Commission” means the Commission on Teacher Credentialing as established pursuant to Education Code Section 44210.
- (e) “Credential” means any credential, life diploma, permit, certificate, waiver, or document issued by, or under the jurisdiction of, the Commission which entitles the holder to perform services for which certification qualifications are required. The official record of a credential includes any credential in a paper or electronic format, including, but not limited to, information obtained from the Commission's official website.
- (f) “Degree” means a baccalaureate or higher degree as specified in Education Code Section 44259(b)(1) earned through an approved college or university, regardless of its title, when the degree program contains no less subject matter preparation than a similar degree in a subject field other than professional education in the same institution.
- (g) “Denial” includes the denial of any portion of an application for a credential, even though the requested credential is issued or renewed.



- (h) "Executive Director" means the Executive Director to the Commission pursuant to Education Code Section 44220.
- (i) "Issuance" means the granting of a credential based upon the application for or renewal of that credential.
- (j) "Vice-Chair" means the Vice-Chair of the Commission.
- (k) "Professional" credential means a credential for which all statutory and regulatory requirements have been met, excluding credentials issued on partial, preliminary, or emergency bases. A "clear" credential means a professional credential as herein defined.
- (l) "Signature" or "signed" as used in this Chapter may include an electronic signature, as defined in Government Code section 16.5 and the California Code of Regulations, Title 2, Sections 22002 and 22005 or under any applicable state or federal law.
- (m) "Submitted" as used in this Chapter includes any documentation required by the Commission that is delivered in-person, via a delivery service or electronically.

Note: Authority cited: Section 44225, Education Code. Reference: Sections 44252, 44267.5, 44330 and 44332.5, Education Code.

§80002. Complete Paper Application Packet.

Only a complete paper application for a credential will be processed by the Commission. A complete paper application must include subsections (a) through (d). Subsections (e) through (i) provide information related to the processing of paper applications.

- (a) Each applicant for a credential not available for online renewal or online recommendation must submit a paper application form as defined in section 80001(b)(2) that includes the following:
 - (1) full legal name, including all former or maiden names;
 - (2) date of birth;
 - (3) Social Security Number:
 - (A) any applicant that does not possess a Social Security Number may include an Individual Tax Identification Number as an alternative;
 - (4) current mailing address, including either a post office box or street address, city, state, and zip code;



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- (5) California county and school district where employed, as applicable:
- (A) every person applying for or holding a credential must notify the Commission in writing of any change to his or her county and/or school district of employment;
 - (B) applicants not currently employed in a California school may indicate “Not Applicable;”
- (6) telephone number;
- (7) applicant’s email address;
- (8) the type of credential, permit, or authorization sought:
- (A) applicants seeking the issuance or reissuance of more than one type of credential or permit must submit a separate application form and application fee for each type of credential or permit;
 - (B) if more than one specific type of credential or permit is requested on one application form, the Commission will evaluate the application for the first type of document selected on the application form. Applicants will be sent a letter advising that each additional document sought requires the submission of a separate application, application fee, and supporting materials; and
- (9) Oath and Affidavit section dated and signed under penalty of perjury, including the county and state where the application is signed.
- (b) Each application form must be accompanied by the appropriate application fee as specified in section 80487.
- (c) A criminal history record response from the fingerprint information specified in section 80442(a) and (c) must be received from the Department of Justice.
- (d) Appropriate documentation to verify the applicant’s academic qualifications for the credential, permit, or authorization requested and professional fitness. This includes, but is not limited to:
- (1) official transcripts, if required, as specified in section 80435, and
 - (2) disclosures of information required in explanation of any professional fitness question with a “Yes” answer on the application form.



- (e) Only complete applications for credentials will be processed by the Commission, as specified in section 80443(a)(2).
- (1) Applications missing any of the items listed in subsections (a)(1) through (a)(3)(A) and subsection (b) will be deemed incomplete and will be returned.
 - (2) Applications missing any of the items listed in subsections (a)(4) through (a)(9), (c) and (d) may be rejected with an evaluation which sets forth the requirements that have not been met.
- (f) The Commission will notify an applicant regarding any additional documentation required for evaluation not initially submitted with the application.
- (1) Application fees remain valid for sixty (60) days from the date of the notice to allow an applicant time to provide the requested additional documentation as specified in section 80487(e).
- (g) The processing time of fifty (50) business days for paper applications found in Education Code section 44350 in cases pursuant to subsection (f)(1) will commence upon receipt of the resubmitted complete application as specified in section 80443(a)(1).
- (1) Processing time is the time necessary for the Commission to determine an applicant's eligibility for the document requested.
 - (2) The fifty (50) business day processing time for paper applications is not applicable when an application is subject to a fitness review by the Commission.
- (h) Application fees are earned upon receipt of the application and may not be refunded or applied to a subsequent application as specified in section 80487(b).
- (i) Every person applying for or holding a credential shall notify the Commission in writing, or by updating the educator's electronic record at the Commission, of any change to the information provided pursuant to 80002(a)(4) or (5) or (7).

Note: Authority cited: Section 44225, Education Code. Reference: Section 291, Penal Code; Section 1798.24, Civil Code; and Sections 44230, 44235, 44330, 44339, 44340, 44346.5, 44350, Education Code.

