



CODED CORRESPONDENCE

DATE:

March 8, 2021

NUMBER:

21-02

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: Approval of Amendments and Additions to Title 5 of the California Code of Regulations Pertaining to the Teaching Permit for Statutory Leave

Summary

The Commission on Teacher Credentialing's (Commission) proposed amendments to Title 5 of the California Code of Regulations (CCR), section 80022 were approved by the Office of Administrative Law and took effect on January 1, 2021.

Key Provisions

This rulemaking action allows local education agencies (LEAs) to request a Teaching Permit for Statutory Leave (TPSL) to be used when a teacher of record is unable to provide instructional services due to being placed on Military Leave or Administrative Leave.

Important Dates

January 1, 2021 – The changes to the CCR take effect and LEAs may request a TPSL due to Military Leave or Administrative Leave.

Background

In February 2016, the Commission proposed regulations to create the TPSL in order to cover statutory leave assignments. The purpose of the TPSL was to serve as an option for local educational agencies (LEAs) to use when faced with staffing classrooms when the teacher of record is out on extended leave that is authorized by statute, thereby allowing LEAs the benefit of not having to continually rotate Emergency 30-Day Substitute Teaching Permit holders to

cover these assignments. A public hearing was held in June 2016, and the Commission approved the proposed regulations to create the TPSL. The addition of §80022 to Title 5 of the CCR creating the TPSL was approved by the Office of Administrative Law and became effective on August 16, 2016.

Subsequent to the Commission's adoption of the TPSL, stakeholder groups voiced a desire to add new forms of statutory leave to §80022. Specifically, stakeholders requested that the TPSL be allowed to cover assignments resulting from teachers of record being placed on extended Military Leave or Administrative Leave. Because Military Leave and Administrative Leave were not originally recognized in §80022, LEAs found themselves faced with the challenge of covering assignments for teachers of record on extended Military Leave or Administrative Leave by continuously rotating through substitute teachers.

The expansion of the definition of statutory leave to allow LEAs to request a TPSL when a teacher of record is unable to provide instructional services due to being on extended Military Leave or Administrative Leave aligns with the purpose and intent of the permit as created by the Commission.

Sources

EC sections 44225(b), 44225(d), 44225(e), 44225(l), 44225(q), 44252, 44258.9, 44280, 44281, 44282, 44300(i), 44977, 44978, 44984, 47605, 56365 and 56366.

References

[Teaching Permit For Statutory Leave](#)

February 11, 2016 Agenda Item 2A – Proposed Regulations for Teaching Permit for Statutory Leave [for document, send email to ArchiveRequest@ctc.ca.gov]

Approval of February 2016 minutes [for document, send email to ArchiveRequest@ctc.ca.gov]

April 2016 – Initial Statement of Reasons for TPSL [for document, send email to ArchiveRequest@ctc.ca.gov]

April 19, 2016 Coded Correspondence 16-02: Proposed Addition and Amendments to Title 5 of the California Code of Regulations Pertaining to Teaching Permit for Statutory Leave (TPSL): https://www.ctc.ca.gov/docs/defaultsource/commission/coded/2016/1602.pdf?sfvrsn=1f7a6a31_0

August 16, 2016 Text Approved by the Office of Administrative Law and Filed with the Secretary of State (for document, send email to ArchiveRequest@ctc.ca.gov)

August 23, 2016 Coded Correspondence 16-10: Approved Addition and Amendment to Title 5 of the California Code of Regulations Pertaining to Teaching Permit for Statutory Leave (TPSL): <https://www.ctc.ca.gov/docs/default-source/commission/coded/2016/1610.pdf>

Contact Information

The Commission may be contacted by email at credentials@ctc.ca.gov.