



CODED CORRESPONDENCE

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TO:

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

FROM:

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Executive Director
Commission on Teacher Credentialing

SUBJECT: Executive Order N-3-22 and New Staffing Flexibilities

Summary:

On January 11, 2022, Governor Gavin Newsom signed Executive Order (EO) N-3-22 which immediately enacted staffing flexibilities to help alleviate staffing issues due to the Omicron-driven rise in Covid-19 cases. The EO allows individuals who do not currently hold an Emergency 30-Day Substitute Teaching Permit to receive a Temporary County Certificate (TCC) to serve in an emergency substitute assignment immediately, if the individual holds a Bachelor's or higher degree and a valid Certificate of Clearance or other Commission issued document, and the individual meets the Basic Skills Requirement. The requirements for the individual to submit an Emergency 30-Day Substitute Teaching Permit application and fee to the Commission are temporarily suspended. In addition, the service limitation for long-term and day-to-day substitute assignments is extended to 120 days. These provisions expire March 31, 2022.

Key Provisions:***Candidate Requirements for Issuance of a Temporary County Certificate for Emergency Substitute Teaching Under EO N-3-22***

Pursuant to Education Code section 44332(a), a County Office of Education (COE) may issue TCCs that allow the holder to provide services in a California public school while their application is pending review with the Commission on Teacher Credentialing. Per the Executive Order, COEs may, through March 31, 2022, issue a TCC authorizing an individual to serve as an emergency substitute teacher without submission of an application and fee for an Emergency

Day Substitute Teaching Permit to the Commission. To issue such a TCC, the COE must still verify and maintain records of the following:

1. The TCC candidate holds a Bachelor's degree or higher from a regionally accredited institution of higher education.
2. The TCC candidate has met the Basic Skills Requirement through one of the options outlined in [Commission Leaflet CL-667](#).
3. The TCC candidate holds a current, valid [Certificate of Clearance](#) (COC), [Activity Supervisor Clearance Certificate](#) (ASCC), or other Commission-issued document providing current, valid fingerprint clearance with the Commission.

Individuals issued a TCC on or before March 31, 2022, under this flexibility may serve as an emergency substitute teacher on the TCC for its entire validity. TCCs are valid for one year.

Extension of Service Limitation for Substitute Permit Holders

The EO further extends the substitute service limitation for long-term and day-to-day substitute teaching assignments serving in general education classrooms to 120 days for any one teacher of record issued, effective through March 31, 2022. This extension does not apply to special education classrooms.

Local Employing Agency Requirements

To use the flexibilities granted by the EO, a school district or COE must verify that the candidate has met the requirements outlined above and must make a "written finding" of the need to impose the flexibilities. The written statement must be signed by the school district superintendent, county superintendent of schools, or charter school leader, or such official's designee. It must meet the following criteria:

1. The statement must include an attestation that the "temporary staffing flexibility will support the school district, county office of education, or charter school in maintaining in-person services for students despite staffing shortages caused by the Omicron-drive rise in COVID-19 cases."
2. The statement must be retained by the local employing agency (LEA) and be made available upon request by any member of the public.

Strategies for Immediate use of the EO Flexibilities

The EO flexibility will allow LEAs to identify individuals who may currently be employed and have fingerprint clearance with the Commission through a valid COC, ASCC, or other Commission-issued document, as potential substitutes. This may include athletic coaches, before and after school program employees, or other existing staff. If such staff have met the Basic Skills Requirement and hold a Bachelor's or higher degree, then they may begin serving as a substitute immediately upon issuance of a TCC by the COE.

Additionally, LEAs may recruit parents and other volunteers to employ as emergency substitutes on a TCC, if they have met the Basic Skills Requirement and hold a qualifying degree. Parents and other volunteers who have gone through the local district or county fingerprinting process must still complete the Live Scan fingerprinting process for the Commission and must apply for the COC or ASCC via CTC Online. Information on completing the fingerprinting process can be found at [Fingerprint Information \(ca.gov\)](#), and details on how to apply for a COC or ASCC can be found at [Online Application Information](#).

Timeline for Substitute Assignments

The various flexibilities created through both the Executive Order and the 2021 Budget Trailer Bill affect the number of cumulative days in which the holder can serve as a substitute for any one teacher of record's classroom. Details on the timelines are provided below:

Credentials and Permits that Authorize Substitute Teaching

- Standard Authorization:
 - 20 days for Special Education classes
 - 30 days for General Education classes
- 2021 Budget Trailer Bill:
 - 60 days for both General and Special Education classes
 - Effective through June 30, 2022
- Executive Order N-3-22:
 - 120 days for General Education classes
 - Effective through March 31, 2022

Additional Flexibilities Addresses by EO N-3-22

In addition to the flexibilities addressed in the details above, the EO included further options designed to help mitigate the current hardships that LEAs are facing related to staffing. Questions on these additional opportunities for flexibility should be directed to the State agency contacts identified below:

California Department of Education

California State Teachers Retirement System

California Public Employees Retirement System

Important Dates:

The Executive Order was signed and took effect January 11, 2022.

Flexibilities related to the TCC and to the extended service period of 120 days for long-term and day-to-day substitute teaching assignments expire March 31, 2022.

The 120-day extended service period must begin on or before March 31, 2022.

Sources:

Executive Order N-3-22

<https://www.gov.ca.gov/wp-content/uploads/2022/01/1.11.21-N-3-22-School-Staffing-EO-signed.pdf>

Basic Skills Requirement Leaflet CL-667

[https://www.ctc.ca.gov/credentials/leaflets/basic-skills-requirement-\(cl-667\)](https://www.ctc.ca.gov/credentials/leaflets/basic-skills-requirement-(cl-667))

Fingerprint Information

<https://www.ctc.ca.gov/credentials/fee-and-fingerprint>

Online Application Information

<https://www.ctc.ca.gov/credentials/submit-online>

Contact Information:

Questions regarding credential requirements and application submissions may be directed to the Commission's Information Services Unit by email at credentials@ctc.ca.gov. Questions regarding the fingerprinting process and professional fitness review may be directed to DPPinfo@ctc.ca.gov.