



CODED CORRESPONDENCE

DATE:

October 7, 2022

NUMBER:

22-05

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: Proposed Amendments to Title 5 of the California Code of Regulations Pertaining
to Emergency Permits**

Summary

The Commission is proposing to amend sections 80021, 80021.1, 80022, 80023.2, 80026.6, 80027, and 80027.1 related to emergency permits. Specifically, the Commission is proposing the addition of the following statement, "Beginning January 1, 2023, employing agencies shall be required to submit applications requesting (type of permit) through the Commission's online application system." This statement clarifies that employing agencies will be required to submit emergency permit applications via the Commission's online application system, eliminating the option to submit paper applications via mail. Requiring the online submission of these applications will significantly reduce issues with improperly filled out paper applications, timely payments, and mailing delays.

Notice of Public Hearing

The Commission has not scheduled a public hearing on this proposed action. However, the Commission will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days before the close of the comment period.

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed action by fax, through the mail, or by email. The written comment

period closes at midnight November 22, 2022. Comments must be received by that time or may be submitted at the public hearing, should one be requested. Interested parties may fax their response to (916) 327-3165; write to the Commission on Teacher Credentialing, Attn: Mika Laidler-Rubio, Commission on Teacher Credentialing, 1900 Capitol Avenue, Sacramento, California 95811; or submit an email to Mika Laidler-Rubio (Mika.Laidler-Rubio@ctc.ca.gov).

Information Digest/Policy Statement Overview

Summary of Existing Laws and Regulations

This rulemaking action proposes amendments to the California Code of Regulations relating to emergency permit application submission. The Commission currently allows employing agencies to submit applications for emergency permits, including Short-Term Staff Permits (STSP), Provisional Internship Permits (PIP), English Learner Permits, and Limited Assignment Permits either electronically via the online application system or via a paper application by mail. The proposed regulatory changes would require employing agencies to submit emergency permit applications through the online system, eliminating the option to submit paper applications via mail, thereby aligning the way in which emergency permit applications are submitted with current permit applications.

Objectives and Anticipated Benefits of the Proposed Regulations

These proposed regulations would parallel the current requirements for Commission-approved program sponsors to submit recommendations for program completers online. These regulations make clear the emergency permit applications that will be required to be submitted via the Commission's online application system, eliminating the option to submit paper applications via mail. Changes to Title 5 regulations are proposed accordingly to ensure coherence and consistency. The Commission anticipates that requiring the online submission of emergency permit applications will significantly reduce issues with improperly filled out paper applications, timely payments, and mailing delays. This would cut down on the overall time that it takes for processing applications that have errors or issues with the application form. Additionally, it will improve the communication process in instances where additional information is required from an applicant or employer to complete processing because online communication is faster and easier.

Determination of Inconsistency /Incompatibility with Existing State Regulations

The Commission has determined that the proposed regulation amendments are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Commission has concluded that these are the only regulations that concern emergency permit application requirements.

Disclosures Regarding the Proposed Actions/Fiscal Impact

The Commission has made the following initial determinations.

Local Mandate

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with section 17500) of the Government Code. Local education agencies may choose to submit an application for an emergency permit utilizing the proposed regulations; however, no mandate exists requiring local agencies or school districts to have an emergency permit and therefore, no reimbursement in accordance with Part 7 (commencing with section 17500) of the government code is required.

Fiscal Impact

Costs to any local agency or school district requiring reimbursement pursuant to Government Code section 17500 et seq.

These proposed regulations will not impose a cost to local agencies or school districts requiring reimbursement in accordance with Part 7 (commencing with section 17500) of the Government Code as submitting an application for an emergency permit which is aligned to the proposed regulations is not required by law.

Cost or savings to any state agency

None. Submitting an application for an emergency permit which is aligned to the proposed regulations is not required by law.

Other non-discretionary costs or savings imposed upon local agencies

None. Submitting an application for an emergency permit which is aligned to the proposed regulations is not required by law.

Cost or savings in federal funding to the state

None. Submitting an application for an emergency permit which is aligned to the proposed regulations is not required by law.

Housing Costs

No significant effect on housing costs exists. The proposed regulations do not intersect with the cost of housing.

Significant Statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states

The Commission has concluded there is no significant adverse impact on business. Emergency permits will be required to be submitted through the Commission's Online Application System.

Statement of the Results of the Economic Impact Assessment

In accordance with Government Code section 11346.3(b), the Commission has made the following assessments regarding the proposed regulations:

Creation or Elimination of Jobs within California

The Commission concludes that it is unlikely that the proposal will create or eliminate jobs within the State of California. Currently, the Commission allows employing agencies to submit applications for emergency permits either electronically via the online application system or via a paper application by mail. By eliminating the option for paper applications, the workload for staff would likely not be affected because the proposed changes would not impact the actual number of applications that would be submitted, only the method of submission.

Creation of New Businesses or Elimination of Existing Business within California

The Commission concludes that it is unlikely that the proposal will create any new businesses or eliminate any existing businesses within the State of California. Employing agencies will need to submit emergency permit applications through the Commission's online application system which is already an established process for other Commission-issued permits.

Expansion of Businesses Currently Doing Business within California

The Commission concludes that it is unlikely the proposal would cause the expansion of businesses currently doing business within the State of California since employing agencies will continue to submit applications to the Commission. Thus, there will not be a creation of new business or elimination of an existing business.

Benefits of the Regulations

The Commission anticipates that the proposed amendments will continue to benefit the health and welfare of California residents. Benefits anticipated from this regulatory action include protecting the environment by reducing the paper waste from applications submitted by the mail. Also, online applications will benefit the health and wellness and worker safety of employing agency employees by allowing them to continue practicing appropriate social distancing.

Cost Impacts on a Representative Private Person or Business

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Business Report

This proposal does not require a business report to be made.

Effect on Small Business

The proposed regulations will not have a significant adverse economic impact upon small business. The proposed regulations only apply to employing agencies who are submitting an application for Commission – issued emergency permits. Business will remain the same and thus will not have an adverse economic impact on small business.

Alternatives Statement

The Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out

the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Commission invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period or at the public hearing.

Contact Person/Further Information

General or substantive inquiries concerning the proposed action may be directed to Mika Laidler-Rubio by telephone at (916) 327-8697, by mail at Commission on Teacher Credentialing, Attn: Mika Laidler-Rubio, 1900 Capitol Avenue, Sacramento, CA 95811, or by email to: Mika Laidler-Rubio (Mika.Laidler-Rubio@ctc.ca.gov) or Erin Skubal (ESkubal@ctc.ca.gov). General question inquiries may also be directed to the addresses mentioned above. Upon request, a copy of the express terms of the proposed action and a copy of the Initial Statement of Reasons will be made available. This information is also available on the Commission's website at <http://www.ctc.ca.gov/notices/rulemaking.html>. In addition, all the information on which this proposal is based is available for inspection and copying.

Availability of Statement of Reasons and Text of Proposed Regulations

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice of Register, the rulemaking file consists of the Notice of Proposed Rulemaking, the proposed text of regulations, the Initial Statement of Reasons, and an economic impact assessment/analysis contained in the Initial Statement of Reasons. Copies may be obtained by contacting Mika Laidler-Rubio at the addresses or telephone number provided above.

Modifications of Proposed Action

If the Commission proposes to modify the actions hereby proposed, the modifications (other than non-substantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

Availability of Final Statement of Reasons

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rulemaking package, following the conclusion of the public hearing. Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Mika Laidler-Rubio at Mika.Laidler-Rubio@ctc.ca.gov.

Availability of Documents on the Internet

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, and the text of the regulations can be accessed through the Commission's website at <http://www.ctc.ca.gov/notices/rulemaking.html>.

The Commission on Teacher Credentialing has illustrated changes to the original text in the following manner: text originally proposed to be added is underlined; text proposed to be deleted is displayed in ~~strikeout~~.

CALIFORNIA CODE OF REGULATIONS
TITLE 5. EDUCATION
DIVISION 8. COMMISSION ON TEACHER CREDENTIALING
CHAPTER 1. Credential Issued Under the Teacher Preparation and Licensing Law of 1970
Article 2. Credential Types, Authorizations, and Requirements

80021. Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit

Employing agencies shall request the Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit when there is an acute staffing need. Beginning January 1, 2023, employing agencies shall be required to submit applications requesting Short Term Staff Permits through the Commission's online application system.

(a) The employing agencies shall demonstrate that applicants for the Short-Term Staff Permit have completed all of the following requirements:

(1) Possession of a baccalaureate or higher degree from a regionally accredited college or university.

(2) Meet the basic skills requirement as described in Education Code Section 44252, unless exempt by statutes or regulations.

(3) Successful completion of the specified number of semester units, or equivalent quarter units, of appropriate non-remedial course work taken at a regionally accredited college or university with a grade of "C" or higher, "Pass", or "Credit" as found in (A), (B) and (C) below. Non-remedial coursework for the purposes of this section shall be defined as coursework that is applicable toward a bachelor's degree or a higher degree at a regionally accredited college or university.

(A) For the Single Subject Short-Term Staff Permit, at least 18 semester units of course work in the subject to be listed.

(B) For the Multiple Subject Short-Term Staff Permit, at least 10 semester units of course work in each of at least four of the following subject areas or at least 10 semester units of course work in each of three subject areas and an additional 10 semester units of course work in a combination of two of the remaining subject areas. The subject areas are as follows: language studies, history, literature, humanities, mathematics, the arts, science, physical education, social science and human development.

(C) For the Education Specialist Short-Term Staff Permit either (A) or (B) above or verify a minimum of three years of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students or verify a minimum of nine semester units of course work in special education or in a combination of special education and regular education that are appropriate to special education or regular education teaching credential.

(4) Multiple Subject, Single Subject, and Education Specialist Short-Term Staff Permits shall be issued with an English learner authorization unless the employing agency requests and the

applicant verifies target language proficiency for a bilingual authorization by one of the following:

(A) Passage in the target language of the listening and speaking sections of Test 6 of the BCLAD Examinations or passage of Test II or III of the CSET: LOTE Examinations depending on the specific language as detailed in Section 80015.3(c)(3), or

(B) Passage in the target language of an assessment covering the integrated communication skills of listening, speaking, reading, and writing, administered by a California college or university as a part of its Commission accredited bilingual authorization program, or

(C) Passage in the target language for which the Commission has no BCLAD Test 6 or CSET: LOTE II or III of an assessment covering the integrated communication skills of listening, speaking, reading, and writing, performed by an approved organization pursuant to Education Code Section 44253.5(a), or

(D) Possession of a three-year or higher degree from a foreign institution in which all instruction was delivered in the target language. The foreign institution must be equivalent in status to a regionally accredited institution of higher education in the United States.

(5) The employing agency shall verify or submit the following to the Commission:

(A) That it has conducted a local recruitment for the Short-Term Staff Permit being requested.

(B) That it has provided permit holders with orientation to the curriculum and to techniques of instruction and classroom management and assigned a mentor teacher for the term of the Short-Term Staff Permit.

(C) Written justification for the Short-Term Staff Permit signed by the employing agency's Superintendent or designee. In the case of a state certified non-public school, the director of the school must sign the justification.

(b) The Short-Term Staff Permit shall be issued for no more than one-year, provided that it shall expire at the end of the employing agency's school year and shall not be issued more than once to an individual. The end of the school year shall be no later than July 1 unless the Short-Term Staff Permit is being used for a summer school assignment whereby the end of the school year shall be no later than September 1.

(c) Individuals who were issued an emergency permit pursuant to Education Code Section 44300 that was reissued four times do not qualify for the Short-Term Staff permit.

(d) Use of the Short-Term Staff Permit shall be restricted to the employing agency requesting the permit.

(e) The Short-Term Staff Permit shall authorize the following:

(1) A Multiple Subject Short-Term Staff Permit with an English learner authorization authorizes the same service as a Multiple Subject Teaching Credential with an English learner authorization.

(2) A Multiple Subject Short-Term Staff Permit with a bilingual authorization authorizes the same service as a Multiple Subject Teaching Credential with a bilingual authorization.

(3) A Single Subject Short-Term Staff Permit with an English learner authorization authorizes the same service as a Single Subject Teaching Credential with an English learner authorization.

(4) A Single Subject Short-Term Staff Permit with a bilingual authorization authorizes the same service as a Single Subject Teaching Credential with a bilingual authorization.

(5) An Education Specialist Short-Term Staff Permit with an English learner authorization authorizes the same service as an Education Specialist Instruction Credential with an English learner authorization.

(6) An Education Specialist Short-Term Staff Permit with a bilingual authorization authorizes the same service as an Education Specialist Instruction Credential with a bilingual authorization.

(f) Definitions:

(1) The term “employing agencies” as used in this section shall mean:

(A) Public school districts in California.

(B) County offices of education or county superintendents of schools in California.

(C) Schools that operate under the direction of a California state agency.

(D) Nonpublic, nonsectarian schools and agencies as defined in Education Code Sections 56365 and 56366.

(E) Charter Schools as established in Education Code Section 47605.

(2) The term “acute staffing” as used in this section shall mean when an employing agency needs to fill a classroom immediately based on an unforeseen need including but not limited to:

(A) individual needs additional time to complete pre-service requirements for enrollment into a Commission-approved internship program.

(B) enrollment adjustments require the addition of another teacher.

(C) individual is unable to enroll in a Commission-approved internship program due to timelines or lack of space in the program.

(D) unavailability of a third-year extension or withdrawal from an internship program.

(E) teacher of record is unable to finish the school year due to approved leave/illness.

Note: Authority cited: Section 44225(a), Education Code. Reference: Sections 44225(b), 44225(d) and 44225(l), Education Code.

80021.1. Multiple Subject, Single Subject or Education Specialist Provisional Internship Permit.

Employing agencies shall request the Multiple Subject, Single Subject or Education Specialist Provisional Internship Permit when a suitable credentialed teacher cannot be found after a diligent search. Beginning January 1, 2023, employing agencies shall be required to submit applications requesting Provisional Internship Permits through the Commission’s online application system.

(a) The employing agencies shall demonstrate that applicants for a Provisional Internship Permit have completed the following requirements:

(1) Possession of a baccalaureate or higher degree from a regionally accredited college or university.

(2) Meet the basic skills requirement as described in Education Code Section 44252, unless exempt by statutes or regulations.

(3) Successful completion of the specified number of semester units, or equivalent quarter units, of appropriate non-remedial course work taken at a regionally accredited college or university with a grade of “C” or higher, “Pass”, or “Credit” as found in (A), (B) and (C) below.

Non-remedial coursework for the purposes of this section shall be defined as coursework that is

applicable toward a bachelor's degree or a higher degree at a regionally accredited college or university.

(A) For the Single Subject Provisional Internship Permit, at least 18 semester units of course work in the subject to be listed: or

(B) For the Multiple Subject Provisional Internship Permit, at least 10 semester units of course work in each of at least four of the following subject areas or at least 10 semester units of course work in each of three subject areas and an additional 10 semester units of course work in a combination of two of the remaining subject areas. The subject areas are as follows: language studies, history, literature, humanities, mathematics, the arts, science, physical education, social science and human development.

(C) For the Education Specialist Provisional Internship Permit, either (A) or (B) above or verify a minimum of three years of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students or verify a minimum of nine semester units of course work in special education or in a combination of special education and regular education that are appropriate to special education or regular education teaching credential.

(4) Multiple Subject, Single Subject, and Education Specialist Provisional Internship Permits shall be issued with an English learner authorization unless the employing agency requests and the applicant verifies target language proficiency for a bilingual authorization by one of the following:

(A) Passage in the target language of the listening and speaking sections of Test 6 of the BCLAD Examinations or passage of Test II or III of the CSET: LOTE Examinations depending on the specific language as detailed in Section 80015.3(c)(3), or

(B) Passage in the target language of an assessment covering the integrated communication skills of listening, speaking, reading, and writing, administered by a California college or university as a part of its Commission accredited bilingual authorization program, or

(C) Passage in the target language for which the Commission has no BCLAD Test 6 or CSET: LOTE II or III of an assessment covering the integrated communication skills of listening, speaking, reading, and writing, performed by an approved organization pursuant to Education Code Section 44253.5(a), or

(D) Possession of a three-year or higher degree from a foreign institution in which all instruction was delivered in the target language. The foreign institution must be equivalent in status to a regionally accredited institution of higher education in the United States.

(5) The employing agencies shall verify or submit all of the following to the Commission with each request:

(A) That a diligent search has been conducted for a suitable credentialed teacher or suitable qualified internship teacher as evidenced by documentation of that search.

(B) That orientation, guidance and assistance to permit holders, as specified in Section 80026.5, will be provided.

(C) That the employing agency will assist the permit holder in developing a personalized plan through an agency defined assessment that would lead to subject matter competence that is related to the Provisional Internship Permit.

(D) That the employing agency will assist the permit holder to seek and enroll in subject-matter training, such as workshop or seminar formats and site-based courses along with training in

test-taking strategies and will assist permit holders in meeting the credential subject-matter competence requirement that is related to the Provisional Internship Permit.

(E) Verification that a notice of intent to employ the applicant in the identified position has been made public as follows:

(i) If the permit is being submitted by a public school district, it must include a copy of the agenda item presented to the governing board of the district in a public meeting with a signed statement from the superintendent, or his or her designee, that the item was acted upon favorably. The agenda item must state the name of the applicant, the assignment in which the applicant will be employed including the name of the school, subject(s) and grade level(s) that he or she will be teaching and that the applicant will be employed on the basis of a Provisional Internship Permit.

(ii) If the permit is being submitted by a county office of education, state operated school, or nonpublic, nonsectarian school or agency, it must include a dated copy of the notice that was posted at least 72 hours before the position was filled and a signed statement from the superintendent or administrator or his or her designee that there were no objections to the permit. The notice must state the name of the applicant, the assignment in which the applicant will be employed including the subject(s) and grade level(s) that he or she will be teaching and that the applicant will be employed on the basis of a Provisional Internship Permit.

(F) Verification that the candidate has been apprised of steps to earn a credential and enroll in an internship program.

(b) The Provisional Internship Permit shall be issued for one-calendar year and may not be renewed.

(c) Individuals who were issued an emergency permit pursuant to Education Code section 44300 that was reissued four times do not qualify for a Provisional Internship Permit.

(d) Use of the Provisional Internship Permit shall be restricted to the employing agency requesting the permit.

(e) The Provisional Internship Permit shall authorize the following:

(1) A Multiple Subject Provisional Internship Permit with an English learner authorization authorizes the same service as a Multiple Subject Teaching Credential with an English learner authorization.

(2) A Multiple Subject Provisional Internship Permit with a bilingual authorization authorizes the same service as a Multiple Subject Teaching Credential with a bilingual authorization.

(3) A Single Subject Provisional Internship Permit with an English learner authorization authorizes the same service as a Single Subject Teaching Credential with an English learner authorization.

(4) A Single Subject Provisional Internship Permit with a bilingual authorization authorizes the same service as a Single Subject Teaching Credential with a bilingual authorization.

(5) An Education Specialist Provisional Internship Permit with an English learner authorization authorizes the same service as an Education Specialist Instruction Credential with an English learner authorization.

(6) An Education Specialist Provisional Internship Permit with a bilingual authorization authorizes the same service as an Education Specialist Instruction Credential with a bilingual authorization.

(f) Definitions:

(1) The term “Employing agencies” as used in this section shall mean:

(A) Public school districts in California.

(B) County offices of education or county superintendents of schools in California.

(C) Schools that operate under the direction of a California state agency.

(D) Nonpublic, nonsectarian schools and agencies as defined in Education Code Sections 56365 and 56366.

(E) Charter Schools as established in Education Code Section 47605.

(2) The term “diligent search” as used in this section shall include, but is not limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media.

Note: Authority cited: Section 44225(a), Education Code. Reference: Sections 44225(b), 44225(d) and 44225(l), Education Code.

80022. Teaching Permit for Statutory Leave.

Local employing agencies may request the Teaching Permit for Statutory Leave to be used when a teacher of record is unable to provide services due to a statutory leave.

(a) If a local employing agency elects to request a Teaching Permit for Statutory Leave, the following shall be required for the initial issuance:

(1) Submission of an application form as defined in §80001; the processing fee as specified in §80487(a)(1); and fingerprint clearance as specified in §80442. Beginning January 1, 2023, employing agencies shall be required to submit applications requesting Teaching Permits for Statutory Leave through the Commission’s online application system.

(2) Possession of a baccalaureate or higher degree from a regionally accredited college or university.

(3) Meet the basic skills requirement as described in Education Code section 44252, unless exempt by statutes or regulations.

(4) Successful completion of the subject-matter requirement for the authorization(s) requested as found in (A), (B) or (C):

(A) For any single subject authorization, completion of one of the following:

1. 18 semester units (or 9 upper division units), or equivalent quarter units, of appropriate non-remedial course work taken at a regionally accredited college or university with a grade of “C” or higher, “Pass”, or “Credit” in a single subject or subsumed subject area as defined in §80005.
2. A degree major in a statutory single subject or subsumed subject area as defined in §80005.
3. Passage of the appropriate subject-matter examination(s) in the single subject area as provided in Education Code Sections 44280, 44281, and 44282.

(B) For the multiple subject authorization, completion of one of the following:

1. At least 10 semester units of non-remedial course work taken at a regionally accredited college or university with a grade of “C” or higher, “Pass”, or “Credit” in each of at least four of the following subject areas or at least 10 semester units of course work in each of three subject areas and an additional 10 semester units of course work in a combination of two of the remaining subject areas. The subject areas are as follows: language studies, history, literature,

humanities, mathematics, the arts, science, physical education, social science and human development.

2. A degree major in liberal studies.

3. Passage of the appropriate multiple subject subject-matter examination(s) as provided in Education Code Sections 44280, 44281, and 44282.

(C) For the special education authorization, completion of one of the requirements in either (A) or (B), or one of the following:

1. Verify a minimum of one year of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students.

2. Verify a minimum of 9 semester units of course work in special education or in a combination of special education and regular education that are appropriate to a special education or regular education teaching credential.

(5) The local employing agency shall submit to the Commission verification of completion of 45 hours of pre-service preparation that shall include, but is not limited to, the following:

(A) Foundational level content covering Curriculum and Instruction.

(B) Foundational level content covering Reading and Language Arts.

(C) Foundational level content covering Pedagogy.

(D) Foundational level content covering Human Development.

(E) Foundational level content covering Teaching English Learners.

(F) Foundational level content covering Best Practices in Instruction and Individualized Education Programs.

(G) Foundational, intermediate, and proficient level content for Health, Safety and Hygiene.

(H) Foundational, intermediate, and proficient level content for Ethics.

(I) Foundational, intermediate, and proficient level content for Local Context.

(J) Foundational level content covering Classroom Management and the Learning Environment.

(6) The local employing agency shall submit to the Commission verification of orientation, mentoring, and accountability.

(b) The Teaching Permit for Statutory Leave shall be valid for no less than one year and expires one calendar year from the first day of the month immediately following the date of issuance.

(c) Use of the Teaching Permit for Statutory Leave for statutory leave assignments shall be restricted to the local employing agency(ies) requesting the permit.

(d) If a local employing agency elects to request the reissuance of the Teaching Permit for Statutory Leave, the following shall be required:

(1) For the first reissuance:

(A) Submission of an application form as defined in §80001; the processing fee as specified in §80487(a)(1); and fingerprint clearance as specified in §80442. Beginning January 1, 2023, employing agencies shall be required to submit applications requesting Teaching Permits for Statutory Leave through the Commission's online application system.

(B) The local employing agency shall submit to the Commission verification of continued mentoring and accountability.

(C) The local employing agency shall submit to the Commission verification of completion of an additional 45 hours of preparation that shall include, but is not limited to, the following:

1. Intermediate level content covering Curriculum and Instruction.

2. Intermediate level content covering Reading and Language Arts.

3. Foundational level content covering Relationships Between Theory and Practice.
 4. Intermediate level content covering Pedagogy.
 5. Intermediate level content covering Teaching English Learners.
 6. Foundational and intermediate level content covering Using Technology in the Classroom.
 7. Intermediate level content covering Best Practices in Instruction and Individualized Education Programs.
 8. Foundational, intermediate, and proficient level content for Local Context.
 9. Intermediate level content covering Classroom Management and the Learning Environment.
- (2) For the second reissuance:
- (A) Submission of an application form as defined in §80001; the processing fee as specified in §80487(a)(1); and fingerprint clearance as specified in §80442. Beginning January 1, 2023, employing agencies shall be required to submit applications requesting Teaching Permits for Statutory Leave through the Commission's online application system.
 - (B) The local employing agency shall submit to the Commission verification of continued mentoring and accountability.
 - (C) The local employing agency shall submit to the Commission verification of completion of an additional 45 hours of preparation that shall include, but is not limited to, the following:
 1. Proficient level content covering Curriculum and Instruction.
 2. Proficient level content covering Reading and Language Arts.
 3. Intermediate and proficient level content covering Relationships Between Theory and Practice.
 4. Proficient level content covering Pedagogy.
 5. Intermediate and proficient level content covering Human Development.
 6. Proficient level content covering Teaching English Learners.
 7. Proficient level content covering Using Technology in the Classroom.
 8. Proficient level content covering Best Practices in Instruction and Individualized Education Programs.
 9. Foundational, intermediate, and proficient level content for Local Context.
 10. Proficient level content covering Classroom Management and the Learning Environment.
- (3) For the third and all subsequent reissuances:
- (A) Submission of an application form as defined in §80001; the processing fee as specified in §80487(a)(1); and fingerprint clearance as specified in §80442. Beginning January 1, 2023, employing agencies shall be required to submit applications requesting Teaching Permits for Statutory Leave through the Commission's online application system.
 - (B) The local employing agency shall submit to the Commission verification of continued mentoring and accountability.
 - (C) The local employing agency shall submit to the Commission verification of completion of professional learning activities that are offered to the local employing agency's regular teaching staff.
 - (e) The Teaching Permit for Statutory Leave may be issued with one or more of the following authorizations:
 - (1) A multiple subject authorization that shall authorize instructional service as the interim teacher of record to students in a self-contained setting as defined for the Multiple Subject Teaching Credential in §80003.

(2) A specific single subject authorization that shall authorize instructional service as the interim teacher of record to students in a departmentalized setting as defined for the Single Subject Teaching Credential in §80004.

(3) A special education authorization that shall authorize instructional service as the interim teacher of record to students with any disability area as is authorized by an Education Specialist Instruction Credential in §80048.6.

(f) Definitions:

(1) The term “accountability” as used in this section shall mean the following:

(A) That the local employing agency has made reasonable efforts in hiring a substitute with a full teaching credential that matches the setting and/or subject for the statutory leave position and that no such candidate is available, and

(B) That documentation verifying the appropriate use of each permit holder's assignment shall be kept on file with the local employing agency and that data on the assignments of the permit holder shall be reported to the local county office of education annually as part of the assignment monitoring specified under Education Code section 44258.9. Documentation verifying the appropriate use of each permit shall include:

1. name of the permit holder serving in the assignment,
2. teacher of record,
3. specific statutory leave section that justifies use of the TPSL permit,
4. school site of assignment,
5. setting, subject, and grade level of statutory leave assignment,
6. name of mentor assigned to TPSL permit holder, and
7. number of cumulative days the TPSL holder served in specific statutory leave assignment.

(2) The term “Best Practices in Instruction and Individualized Education Programs” as used in this section shall mean the following: federal disability category definitions and specific best practices; basic explanation of individualized education programs and other special education acronyms; how to interpret an individualized education program goal and collect data; how to interpret and implement a behavior plan; differentiated instruction and universal design for learning including visual supports, applied behavior analysis and positive behavioral interventions and supports; communication with parents; working with related service providers and paraeducators.

(3) The term “Classroom Management and the Learning Environment” as used in this section shall mean the following: research-based strategies for creating and maintaining effective learning environments; classroom organization; behavior management plans that support student engagement and learning; positive behavior supports; and local context (e.g., school-wide behavior management systems, Positive Behavioral Interventions and Support (PBIS), Multi-Tier Systems of Support (MTSS), Response to Instruction and Intervention (RTI2), Restorative Justice Approach).

(4) The term “Curriculum and Instruction” as used in this section shall mean the following: preparation in developing, implementing, adapting, modifying, and evaluating a variety of pedagogical approaches to instruction; using and developing instructional sequences and lesson plans that provide all students with equitable access to the content and experiences found in the state-approved core curriculum.

(5) The term “employing agency” as used in this section shall mean any of the following: public school districts in California; county offices of education or county superintendents of schools in California; schools that operate under the direction of a California state agency; nonpublic, nonsectarian schools and agencies as defined in Education Code sections 56365 and 56366; charter schools as established in Education Code section 47605.

(6) The term “Ethics” as used in this section shall mean the following: confidentiality regarding student information; mandated reporting and child abuse prevention; Americans with Disabilities Act of 1990 (ADA); Individuals with Disabilities Education Act (IDEA); Section 504 of the Rehabilitation Act of 1973; non-discrimination; universal access, designing and implementing equitable and inclusive learning environments for all students.

(7) The term “foundational” as used in this section shall mean the most basic or introductory level.

(8) The term “Health, Safety and Hygiene” as used in this section shall mean the following: emergency behavior interventions and de-escalation strategies; establishing a physically, socially, and emotionally safe classroom environment; specialized health care procedures; injury and illness prevention; lifting, carrying, and use of mechanical lifts and equipment; general and specialized ergonomics; blood-borne pathogens and universal precautions.

(9) The term “Human Development” as used in this section shall mean the following: comprehensive knowledge of typical and atypical human development from the prenatal stage through adulthood; knowledge of developmental stages and development associated with various disabilities and risk conditions (e.g., visual impairment, autism spectrum disorders, cerebral palsy); resilience and protective factors (e.g., attachment, temperament) and their implications for learning.

(10) The term “intermediate” as used in this section shall mean that which is in advance of or builds upon the foundational level.

(11) The term “Local Context” as used in this section shall mean the following: employer-specific software or programs used for attendance, grading, and individualized education program tracking; school expectations; local educational programs.

(12) The term “mentoring” as used in this section shall mean that for each statutory leave assignment the local employing agency shall provide an average of two hours of mentoring, support, and/or coaching per week through a system of support coordinated and/or provided by a mentor who possesses a valid life or clear credential that would also authorize service in the statutory leave assignment, and that within this system of support the TPSL holder shall be provided lesson plans for the first four weeks of the assignment as well as continued assistance in the development of curriculum, lesson planning, and Individualized Education Programs (IEPs).

(13) The term “orientation” as used in this section shall mean that the local employing agency shall provide early orientation to the assignment before or during the first month of service in the statutory leave assignment.

(14) The term “Pedagogy” as used in this section shall mean the following: introductory coursework in planning and delivering content-specific instruction consistent with state-adopted academic content standards for students and curriculum frameworks; knowledge of the full range of the service delivery system, including special and general education, diversity of grades/ages, and federal disability categories.

(15) The term “professional learning activities” as used in this section shall mean activities that are offered to the local employing agency's regular teaching staff.

(16) The term “proficient” as used in this section shall mean the complete or skilled level.

(17) The term “Reading and Language Arts” as used in this section shall mean the following: systematic instruction in reading, writing, listening, and speaking aligned to the state-adopted English Language Arts Content Standards and the Reading/Language Arts Framework that meets the needs of the full range of learners including struggling readers, students with special needs, typologies of English language learners, speakers of non-standard English, students who have no communication/language system, and advanced learners who have varied reading levels and language backgrounds.

(18) The term “Relationships Between Theory and Practice” as used in this section shall mean the following: exposure to the relationships between foundational issues, theories, and professional practice in relation to the principles of human learning and development, pedagogical strategies, curriculum, instruction, assessment, student accomplishments, attitudes, and conduct.

(19) The term “statutory leave” as used in this section shall mean when an employing agency must temporarily fill a position belonging to a teacher of record whose absence is authorized by any leave as defined in Education Code section 44977, Education Code section 44978, Education Code section 44984, Government Code section 12945, Government Code section 12945.2, 29 U.S.C. Chapter 28, Education Code section 44800, Military and Veterans Code sections 395, 395.01, 395.02, 395.05, 395.1, 395.2, 395.9, 38 U.S.C. Chapter 43, and Administrative Leave pursuant to collective bargaining agreements outlined in Government Code section 3543.2 that is related to procedures outlined in Education Code sections 44934 to 44951.

(20) The term “Teaching English Learners” as used in this section shall mean the following: principles of linguistic development; language acquisition; assessment of language proficiency; academic delivery and building strategies for English language learners; knowledge of educational equity, diversity, cultural and linguistic responsiveness and their implementation in curriculum content and school practices for all students.

(21) The term “Using Technology in the Classroom” as used in this section shall mean the following: knowledge in the basic principles of operation of computer hardware and software; use of technology to facilitate the teaching and learning process; legal and ethical issues related to the use of technology; best practices and research on the use of technology to deliver lessons that enhance student learning; integration of technology-related tools into the educational experience.

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(b), 44225(d), 44225(e), 44225(l), 44252, 44258.9, 44280, 44281, 44282, 44300(i), 44977, 44978, 44984, 47605, 56365 and 56366, Education Code.

80023.2. General Requirements for the Initial Issuance of Emergency Permits.

The following requirements apply to the initial issuance of all emergency permits specified in Section 80023.

- (a) The applicant must possess a baccalaureate or higher degree from a regionally accredited college or university.
- (b) The applicant must meet the basic skills requirement as described in Education Code Section 44252, unless exempt by statutes or regulations.
- (c) The applicant must satisfy the requirements for the permit being requested as specified in Sections 80024.3.1 and 80024.6 through 80024.8.
- (d) The employing agency must submit a Declaration of Need for Fully Qualified Educators that satisfies the provisions of Section 80026.
- (e) If the applicant does not already have fingerprint clearance on file with the Commission, the permit application must include verification of completion of livescan. No permit will be issued until the clearance process is completed.
- (f) Issuance of an emergency permit also requires the submission of a complete application packet, including a completed Application for Credential Authorizing Public School Service as specified in Section 80001, payment of the fee(s) required by Section 80487, and other documents required by the Commission to verify completion of all requirements for the emergency permit.
- (g) Beginning January 1, 2023, employing agencies shall be required to submit applications requesting emergency permits through the Commission's online application system.

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(d), 44225(g) and 44300, Education Code.

80026.6. Requirements for the Reissuance of Emergency Permits.

- (a) The reissuance requirements for an emergency permit identified in Section 80023 shall include all of the following:
 - (1) A completed Application for Credential Authorizing Public School Service (form 41-4, rev 4-94). Beginning January 1, 2023, employing agencies shall be required to submit applications requesting emergency permits through the Commission's online application system.
 - (2) Payment of the fee(s) required by Section 80487.
 - (3) Prior submission of a Declaration of Need for Fully Qualified Educators that satisfies the provisions of Section 80026.
 - (4) Verification that orientation, guidance and assistance have been provided as required in Section 80026.5.
 - (5) For the first reissuance only, an evaluation by a Commission-accredited professional preparation institution identifying requirements the emergency permit holder must complete to be eligible for the related credential.
 - (6) Completion of at least six semester units (or the equivalent quarter units) of approved coursework in a Commission-accredited professional preparation program required for issuance of the related credential, unless exceptions for reissuance are listed under the specific requirements for the type of emergency permit for which application is being made.

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(d), 44225(g) and 44300, Education Code.

80027. General Education Limited Assignment Multiple or Single Subject Teaching Permit.

(a) Requirements for the initial issuance of General Education Limited Assignment Multiple or Single Subject Teaching Permits include all of the following:

(1) If an employing agency elects to request a General Education Limited Assignment Teaching Permit, the employing agency must submit a Declaration of Need for Fully Qualified Educators that satisfies the provisions of Section 80026.

(2) Applicant is currently employed by the local governing board requesting such assignment.

(3) Applicant holds a valid California general education teaching credential based on a baccalaureate degree and a professional teacher preparation program, including student teaching or the equivalent.

(4) If an employing agency elects to assign an applicant who has not obtained permanent status as defined in Education Code 44929.21 or 44929.22 or 44929.23, the employing agency shall assign an experienced educator in the subject area of the General Education Limited Assignment Multiple or Single Subject Teaching Permit who has completed 3 years of full-time general education elementary or secondary classroom teaching experience in the subject area(s) requested. If more than one subject area is requested, the experienced educator(s) must have a minimum of three years of teaching experience in each area requested. The local employing agency may assign more than one experienced educator to the permit holder to meet this requirement.

(5) The General Education Limited Assignment Single Subject Teaching Permit may be issued in the subject areas listed in Education Code Section 44257 and the General Education Limited Assignment Multiple Subject Teaching Permit may be issued in the subject area of General Subjects.

(6) If an employing agency elects to request a General Education Limited Assignment Teaching Permit, the employing agency must keep on file a written statement verifying consent of the teacher to serve on the General Education Limited Assignment Multiple or Single Subject Teaching Permit.

(7) For initial issuance of a General Education Limited Assignment Multiple or Single Subject Permit, the employing agency may assist the applicant in submitting the following to the Commission:

(A) A completed Application for Credential Authorizing Public School Service (form 41-4, rev. 9/08) available on the Commission's website and hereby incorporated by reference, together with its related Instruction and Information Sheet (rev. 9/08) and Form 41-ECC (Explanation of Criminal Conviction or Pending Criminal Charge) (rev. 7/08), and

(B) The fee as specified in Section 80487(a)(1).

(C) Beginning January 1, 2023, employing agencies shall be required to submit applications requesting General Education Limited Assignment Permits through the Commission's online application system.

(b) Requirements for the renewal of General Education Limited Assignment Multiple or Single Subject Teaching Permit if an employing agency elects to request the renewal of the permit.

(1) Applicant is currently employed by the local governing board requesting such assignment.

(2) Applicant holds a valid California general education teaching credential based on a baccalaureate degree and a professional teacher preparation program, including student teaching or the equivalent.

(3) For the renewal of a General Education Limited Assignment Multiple or Single Subject Teaching Permit, the employing agency may assist the applicant in submitting the following to the Commission:

(A) A completed Application for Credential Authorizing Public School Service (form 41-4, rev. 9/08) available on the Commission's website and hereby incorporated by reference, together with its related Instruction and Information Sheet (rev. 9/08) and Form 41-ECC (Explanation of Criminal Conviction or Pending Criminal Charge) (rev. 7/08).

(B) The fee as specified in Section 80487(a)(1).

(C) Beginning January 1, 2023, employing agencies shall be required to submit applications requesting General Education Limited Assignment Permits through the Commission's online application system.

(D) Verification of the completion of one of the following:

1. At least six semester units, or the equivalent quarter units, of course work required for issuance of the related credential or

2. Take all sections of the examination appropriate to the type of permit requested, multiple or single subject, as provided in Education Code sections 44280, 44281 and 44282 and pass two sections. If one or more sections have been previously passed, the individual must pass the one or two sections of the examination, as appropriate.

(4) If an employing agency elects to request a General Education Limited Assignment Teaching Permit, the employing agency must submit a Declaration of Need for Fully Qualified Educators that satisfies the provisions of Section 80026.

(5) An individual may renew a General Education Limited Assignment Multiple or Single Subject Teaching Permit in any one specific subject only twice during his or her lifetime.

(6) If an employing agency elects to request a General Education Limited Assignment Teaching Permit, the employing agency must keep on file a written statement verifying consent of the teacher to serve on the General Education Limited Assignment Multiple or Single Subject Teaching Permit.

(c) Authorization:

(1) A General Education Limited Assignment Multiple Subject Teaching Permit authorizes the same service as a Multiple Subject Teaching Credential in the authorized field listed on the permit.

(2) A General Education Limited Assignment Single Subject Teaching Permit authorizes the same service as a Single Subject Teaching Credential in the authorized field(s) listed on the permit.

(d) The General Education Limited Assignment Multiple or Single Subject Teaching Permit is valid for one calendar year from the first day of the month immediately following the date of issuance but is limited to the expiration date of the prerequisite teaching credential held.

(1) A permit issued for less than one calendar year may be extended for the remainder of the calendar year as long as the prerequisite teaching credential has been renewed. An application and fee as found in (b)(3)(A) and (B) must be submitted. Verification of requirements as found in (b)(3)(C) are not required to extend the permit for the remainder of the calendar year.

Note: Authority cited: Sections 44225(d), 44225(g), 44225(q) and 44300, Education Code.

Reference: Sections 44280, 44281, 44282 and 44300, Education Code.

80027.1. Special Education Limited Assignment Teaching Permit.

(a) Requirements for the initial issuance of a Special Education Limited Assignment Teaching Permit include all of the following if an employing agency elects to request the permit:

(1) If an employing agency elects to request a Special Education Limited Assignment Teaching Permit, the employing agency must submit a Declaration of Need for Fully Qualified Educators that satisfies the provisions of Section 80026.

(2) Applicant is currently employed by the local governing board requesting such assignment.

(3) Applicant holds a valid California special education teaching credential based on a baccalaureate degree and a professional preparation program, including student teaching or the equivalent or a services credential with a special class authorization listed in sections 80047 through 80047.9.

(4) If an employing agency elects to assign an applicant who has not obtained permanent status as defined in Education Code 44929.21 or 44929.22 or 44929.23 the employing agency shall assign an experienced educator in the subject area of the Special Education Limited Assignment Teaching Permit who has completed three years of full-time special education teaching experience in the special education specialty area(s) requested. If more than one specialty area is requested for the permit, the experienced educator(s) must have a minimum of three years of teaching experience in each area requested. The local employing agency may assign more than one experienced educator to the permit holder to meet this requirement.

(5) The Special Education Limited Assignment Teaching Permit may be issued in the special education specialty area aligned with the preliminary and clear Education Specialist Instruction Credentials.

(6) If an employing agency elects to request a Special Education Limited Assignment Teaching Permit, the employing agency must keep on file a written statement verifying consent of the teacher to serve on the Special Education Limited Assignment Teaching Permit.

(7) For initial issuance of a Special Education Limited Assignment Teaching Permit, the employing agency may assist the applicant in submitting the following to the Commission:

(A) A completed Application for Credential Authorizing Public School Service (form 41-4, rev. 9/08) available on the Commission's website and hereby incorporated by reference, together with its related Instruction and Information Sheet (rev. 9/08) and Form 41-ECC (Explanation of Criminal Conviction or Pending Criminal Charge) (rev. 7/08).

(B) The fee as specified in Section 80487(a)(1).

(C) Beginning January 1, 2023, employing agencies shall be required to submit applications requesting Special Education Limited Assignment Teaching Permits through the Commission's online application system.

(D) One of the following:

1. Three semester, or the equivalent quarter, units of course work in each special education specialty area requested, or

2. One year of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students in each of the special education specialty area requested and has received a favorable evaluation or recommendation by the local employing agency.

(b) Requirements for the renewal of a Special Education Limited Assignment Teaching Permit if an employing agency elects to request the permit.

(1) Applicant is currently employed by the local governing board requesting such assignment.

(2) Applicant holds a valid California special education teaching credential based on a baccalaureate degree and a professional preparation program, including student teaching or the equivalent or a services credentials with a special class authorization listed in sections 80047 through 80047.9.

(3) For renewal of a Special Education Limited Assignment Teaching Permit, the employing agency may assist the applicant in submitting the following to the Commission:

(A) A completed Application for Credential Authorizing Public School Service (form 41-4, rev. 9/08) available on the Commission's website and hereby incorporated by reference, together with its related Instruction and Information Sheet (rev. 9/08) and Form 41-ECC (Explanation of Criminal Conviction or Pending Criminal Charge) (rev. 7/08).

(B) The fee as specified in Section 80487(a)(1).

(C) Beginning January 1, 2023, employing agencies shall be required to submit applications requesting Special Education Limited Assignment Teaching Permits through the Commission's online application system.

(D) Verification of the completion of at least six semester units, or the equivalent quarter units, of course work required for issuance of the related credential.

(4) If an employing agency elects to request a Special Education Limited Assignment Teaching Permit, the employing agency must submit a Declaration of Need for Fully Qualified Educators that satisfies the provisions of Section 80026.

(5) An individual may renew a Special Education Limited Assignment Teaching Permit in any one special education specialty area only twice during his or her lifetime.

(6) If an employing agency elects to request a Special Education Limited Assignment Teaching Permit, the employing agency must keep on file a written statement verifying consent of the teacher to serve on the Special Education Limited Assignment Teaching Permit.

(c) Authorization:

(1) A Special Education Limited Assignment Teaching Permit authorizes the same service as an Education Specialist Teaching Instruction Credential.

(d) The Special Education Limited Assignment Teaching Permit shall be valid for one calendar year and expires one calendar year from the first day of the month immediately following the date of issuance but is limited to the expiration date of the prerequisite credential held.

(1) A permit issued for less than one calendar year may be extended for the remainder of the calendar year as long as the prerequisite credential has been renewed. An application and fee as found in (b)(3)(A) and (B) must be submitted. Verification of requirements as found in (b)(3)(C) are not required to extend the permit for the remainder of the calendar year.

Note: Authority cited: Sections 44225(d), 44225(g), 44225(l), 44225(q) and 44300, Education Code. Reference: Sections 44225(b), 44225(e) and 44300, Education Code.