

Personnel

CERTIFICATION

BP 4112.2 (a)

The Board of Education recognizes that the District's ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The Superintendent or designee shall ensure that persons employed to fill positions requiring certification qualifications possess the appropriate credential, permit, or other certification document from the Commission on teacher Credentialing (CTC) and fulfill any additional state, federal, or district requirements for the position.

(cf. 4111/4211/4311 – Recruitment and Selection)
(cf. 4112.21 - Interns)
(cf. 4112.22 – Staff Teaching ~~English Learners~~ ~~Students of Limited English Proficiency~~)
(cf. 4112.23 – Special Education Staff)
(cf. 4112.5/4212.5/4312.5 – Criminal Record Check)
(cf. 4113 – Assignment)
(cf. 4121 – Temporary/Substitute Personnel)
(cf. 5148 – Child Care and Development)
(cf. 6178 – Career Technical Education)
(cf. 6200 – Adult Education)

The Superintendent or designee shall provide assistance and support to teachers holding preliminary credentials to enable them to meet the qualifications required for the clear credential.

(cf. 4131 – Staff Development)
(cf. 4131.1 – Teacher Support and Guidance)

Priorities for Hiring Based on Unavailability of Credentialed Teacher

The Superintendent or designee shall make reasonable efforts to recruit a fully prepared teacher **who is authorized in the subject or setting for each assignment or, when necessary, a fully prepared teacher serving on a local assignment option.** Whenever a teacher with a clear or preliminary credential is not available, the Superintendent or designee shall make reasonable efforts to recruit an individual for the assignment in the following order: (Education Code 44225.7)

1. A candidate who enrolls in an approved intern program in the region of the district and possesses an intern credential
2. A candidate who is scheduled to complete preliminary credential requirements within six months and who ~~holds~~ **is granted** a provisional internship permit (PIP) or short-term staff permit issued by the CTC

The Board shall approve, as an action item at a public Board meeting, a notice of its intent to employ a PIP applicant for a specific position. (5 CCR 80021.1)

3. An individual who ~~holds~~ **has been granted** ~~an emergency permit or for whom~~ a credential waiver ~~has been granted~~ by the CTC

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BP 4112.2 (b)

Prior to requesting that the CTC issue an emergency permit ~~pursuant to item #3 above~~ or a limited assignment permit ~~which allows a fully credentialed teacher to teach outside of his/her area of certification while working toward an added or supplementary authorization~~, the Board shall annually approved a Declaration of Need for Fully Qualified Educators. The Declaration of Need shall be approved by the Board as an action item at a regularly scheduled ~~public~~ **open** Board meeting, with the entire Declaration of Need being included in the Board agenda. (Education Code 44225, 44225.7; **5** CCR 80023.2, 80026, 80027, 80027.1)

The Declaration of Need shall certify that there is an insufficient number of certificated persons who meet the District's specified employment criteria for the position(s) and that the District has made reasonable efforts to recruit individuals who meet the qualifications specified in items #1-2 above. The Declaration of Need shall also indicate the number and type of emergency permits that the District estimates it will need during the valid period of the Declaration of Need, based on the previous year's actual needs and projections of enrollment. Whenever the actual number of permits needed exceeds the estimate by 10 percent, the Board shall revise and resubmit the Declaration of Need. (5 CCR 80026)

Whenever it is necessary to employ noncredentialed teachers to fill a position requiring certification qualifications, the Superintendent or designee shall provide support and guidance in accordance with law to ensure the quality of the instructional program.

National Board for Professional Teaching Standards Certification

The Superintendent or designee shall promote a career continuum that includes participation of district teachers in professional learning that supports their completion of advanced certification awarded by the National Board for Professional Teaching Standards (NBPTS). The Superintendent or designee may coordinate a cohort of teachers through school or district programs or other available networks.

With Board approval and funding, and consistent with the collective bargaining agreement and applicable law, the Superintendent may provide an incentive program for teacher participation in NBPTS certification, which may include:

1. Defraying, subsidizing, or reimbursing the registration, certification, or maintenance fees for NBPTS certification.
2. Providing bonuses, step increases, or differential pay for teachers who maintain their certification and continue to teach in the district, with priority given to teachers as Title I schools and schools serving a majority of low-income students.
3. Providing substitute teachers to provide release time for participating teachers.
4. Providing stipends for teacher participation that match other professional development stipends.
5. Compensating mentor teachers who support other teachers' professional learning aligned to NBPTS standards.

~~The Board of Education encourages District teachers to voluntarily complete the requirements for the advanced certification awarded by the National Board for Professional Teaching Standards.~~

~~The Superintendent or designee shall inform all teachers about the program and how to acquire the necessary application and informational materials. In accordance with the collective bargaining~~

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~~agreement and the District budget, the Superintendent or designee may provide release time, fee support, a stipend upon completion, or other support to teachers participating in the program.~~

(cf. 4161.3 – Professional Leaves)

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall notify the parents/guardians of each student attending a school receiving Title I funds that they may request information regarding the professional qualifications of their child's classroom teacher including, but not limited to, whether the teacher: (20 USC 6312)

1. Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction
2. Is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
3. Is teaching in the field of discipline of ~~his/her~~ the teacher's certification

(cf. 5145.6 – Parental Notifications)

In addition, the Superintendent or designee shall notify parents/guardians in a timely manner whenever their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area to which the teacher has been assigned. (20 USC 6312)

Legal References:

EDUCATION CODE

8360-8370 Qualifications of child care personnel

32340-32341 Unlawful issuance of a credential

35186 Complaints regarding teacher vacancy or misassignment

44066 Limitations on certification requirements

44200-44399.1 Teacher credentialing, especially:

44250-44277 Credential types; minimum requirements

~~44320.2 Teachers performance assessment~~

44300-44302 Emergency permit

44325-44328 District interns

44330-44355 Certificates and credentials

44420-44440 Revocation and suspension of credentials

44450-44468 University intern program

44830-44929 Employment of certificated persons; requirement of proficiency in basic skills

56060-56063 Substitutes teachers in special education

CODE OF REGULATIONS, TITLE 5

~~6100-6125 Teacher qualifications, No Child Left Behind Act~~

80001-80690.1 ~~80690.1~~ 80674.6 Commission on Teacher Credentialing

UNITED STATES CODE, TITLE 20

~~6312~~ Title I local educational agency plans; notifications regarding teacher qualifications

CODE OF FEDERAL REGULATIONS, TITLE 34

~~200.6148~~ Parent notification regarding teacher qualifications

COURT DECISIONS

Association of Mexican-American Educators, et. al. v. State of California and the Commission on Teacher Credentialing, (1993) 836 F.Supp. 1534

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

CL-667 Basic Skills Requirement

CL-856 Provisional Internship Permit

CL-858 Short-Term Staff Permit

Credential Information Guide

Approved Addition and Amendments to Title 5 of California Code of Regulations Pertaining to Teaching Permit for Statutory Leave (TPSL), Coded Correspondence 16-10, August 23, 2016

Waiver Requests Guidebook, 2015

~~13-01~~ *Hiring Hierarchy in Education Code 44225.7, Coded Correspondence 13-01, January 30, 2013*

Subject Matter Authorization Guideline Book, 2012

Supplementary Authorization Guideline Book, 2012

California Standards for the Teaching Profession, 2009

The Administrator's Assignment Manual, rev. September 2007

NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS PUBLICATIONS

Considerations for Using Federal Funds to Support National Board Certification, 2018

WEB SITES

CSBA: <http://www.csba.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Commission on Teacher Credentialing, *Credential Information Guide (for employers' use only)*:

<http://www.ctc.ca.gov/credentials/cig>

National Board for Professional Teaching standards: <http://www.nbpts.org>

National Board Resource Center: nbcaltstrong.net

U.S. Department of Education: <http://www.ed.gov>

Policy amended: March 16, 2016

Policy amended: October 15, 2009

Policy adopted: October 4, 2001

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Verification of Credentials

The Superintendent or designee shall verify that each employee in a position requiring certification qualifications possesses a valid **certification document** ~~credential or permit~~ issued by the Commission on **Teacher Credentialing (CTC)** ~~commencement of employment or the renewal of a credential~~. **Such verification shall occur not later than 60 days after the commencement of employment or the renewal of a credential.** (Education Code 44857)

(cf. 4112.21 - Interns)

(cf. 4112.22 - Staff Teaching English Language Learners)

(cf. 4112.23 - Special Education Staff)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 5148 - Child Care and Development)

(cf. 6178 - Career Technical Education)

(cf. 6178.2 - Regional Occupational Center/Program)

(cf. 6200 - Adult Education)

The Superintendent or designee shall maintain records of the appropriate certification of all employees serving in certificated positions.

(cf. 3580 - District Records)

*(cf. 4112.6/4212.6/4312.6 - Personnel **Files** ~~Records~~)*

Basic Skills Proficiency Test

The district shall not initially hire, ~~on a permanent, temporary, or substitute basis, a certificated a~~ person **in a position requiring certification, on a permanent, temporary, or substitute basis, seeking employment in the capacity designated in his/her credential** unless that person has demonstrated basic skills proficiency in reading, writing, and mathematics or is specifically exempted from the requirement by law. (Education Code 44252, 44252.6, 44830)

The district may hire a certificated **employee teacher** who has not taken a test of basic skills proficiency if he/she has not yet been afforded the opportunity to take the test, **provided that he/she takes the test at the earliest opportunity.** The employee ~~shall take the test at the earliest opportunity and~~ may remain employed by the district pending the receipt of his/her test results. (Education Code 44830)

An out-of-state prepared teacher shall meet the basic skills requirement within one year of being issued a California preliminary credential by the CTC unless he/she has completed a basic skills proficiency test in another state or is otherwise exempted by law. **The district shall develop a basic skills proficiency test, which shall be at least equivalent to the district test required for high school graduation, for purposes of assessing out-of-state prepared teachers pending completion of the basic skills requirement.** ~~An out-of-state prepared teacher applying to the CTC for a one-year nonrenewable credential pending completion of the basic skills requirement shall pass the district's basic skills proficiency test which is at least equivalent to the district test required for high school graduation.~~ (Education Code 44252, 44274.2; 5 CCR 80071.4, 80413.3)

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(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.2 - Certificate of Proficiency)

(cf. 6162.5 - High School Exit Examination)

Any person holding or applying for a “designated subjects special subjects” credential which does not require possession of a bachelor's degree shall pass ~~the~~ **a** district proficiency test in lieu of meeting the state basic skills requirement. (Education Code 44252, 44830)

The district ~~shall~~ **may** charge a fee to cover the costs of developing, administering, and grading the district proficiency test. **(Education Code 44252, 44830)**

Short-Term Staff Permit

The district may request that the CTC issue a short-term staff permit (STSP) to ~~an~~ **a qualified** applicant ~~who meets the qualifications specified in 5 CCR 80021~~ whenever there is a need to immediately fill a classroom based on unforeseen circumstances, including, but not limited to: (5 CCR 80021)

1. Enrollment adjustments requiring the addition of another teacher
2. Inability of the teacher of record to finish the school year due to approved leave or illness
3. The applicant's need for additional time to complete preservice requirements for enrollment into an approved internship ~~ship~~ program
4. Inability of the applicant to enroll in an approved internship program due to timelines or lack of space in the program
5. Unavailability of a third-year extension of an internship ~~ship~~ program or the applicant's withdrawal from an internship ~~ship~~ program

The Superintendent or designee shall ensure that the applicant possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021 for the multiple subject, single subject, or education specialist STSP as appropriate. (5 CCR 80021)

When requesting issuance of an STSP, the **Superintendent or designee** ~~district~~ shall submit to the CTC: (5 CCR 80021)

1. Verification that ~~it~~ **the district** has conducted a local recruitment for the permit being requested

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2. Verification that ~~it~~ **the district** has provided the permit holder with orientation to the curriculum and to instruction and classroom management techniques and has assigned a mentor teacher for the term of the permit
(cf. 4131 - Staff Development)
(cf. 4131.1 – Teacher Support and Guidance)
3. Written justification for the permit signed by the Superintendent or designee

The holder of an STSP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021)

Provisional Internship Permit

~~The district may request~~ **Before requesting** that the CTC issue a provisional internship permit (PIP), **the district shall conduct** ~~to an applicant who meets the qualifications specified in 5 CCR 80021.1 whenever a suitable credentialed teacher cannot be found after a diligent search~~ **for a suitable credentialed teacher or intern, including, but not limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media.** ~~The district shall verify all of the following: (5 CCR 80021.1, 80026.5)~~

(cf. 4111/4211/4311 – Recruitment and Selection)

Whenever a suitable credentialed teacher cannot be found after a diligent search, the Superintendent or designee may request that the CTC issue a PIP to an applicant who possesses a bachelor's or higher degree from a regionally accredited college or university, has met the basic skills proficiency requirement unless exempted by state law or regulations, and has satisfied the coursework/experience requirements specified in 5 CCR 80021.1 for the multiple subject, single subject, or education specialist PIP as appropriate. (5 CCR 80021.1)

When submitting the request for a PIP, the district shall provide verification of all the following: (5 CCR 80021.1, 80026.5)

1. A diligent search has been conducted for a suitable credentialed teacher or suitable qualified intern as evidenced by documentation of the search.

~~The search shall include, but not be limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media.~~

~~(cf. 4111/4211/4311 – Recruitment and Selection)~~

2. Orientation, guidance, and assistance shall be provided to the permit holder as specified in 5 CCR 80026.5.

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The orientation shall include, but not be limited to, an overview of the curriculum the permit holder is expected to teach and effective instruction and classroom management techniques at the permit holder's assigned level. **The permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or county office of education and who has completed at least three years of full-time classroom teaching experience.** ~~The Superintendent or designee shall assign an experienced educator to guide and assist the permit holder.~~

3. The district shall assist the permit holder in developing a personalized plan through a district-selected assessment that would lead to subject-matter competence related to the permit.
4. The district shall assist the permit holder to seek and enroll in subject-matter training, such as workshops or seminars and site-based courses, along with training in test-taking strategies, and shall assist the permit holder in meeting the credential subject-matter competence requirement related to the permit.
5. A notice of intent to employ the applicant in the identified position has been made public.

The district shall submit a copy of the agenda item presented at a public Governing Board meeting which shall 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(s) that he/she will be teaching, and that the applicant will be employed on the basis of a PIP. The district also shall submit a signed statement from the Superintendent or designee that the agenda item was acted upon favorably.

6. The candidate has been apprised of steps to earn a credential and enroll in an internship program.

The holder of a PIP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021.1)

Teaching Permit for Statutory Leave

Whenever there is an anticipated need for the district to temporarily fill the teaching assignment of a teacher of record who will be on sick leave, differential sick leave, industrial accident or illness leave, pregnancy disability leave, or family care and medical leave under the federal Family and Medical Leave Act or California Family Rights Act, the Superintendent or designee may request that the CTC issue a Teaching Permit for Statutory Leave (TPSL) to a qualified individual who will be serving as the interim teacher of record. Prior to submitting an application to the CTC, the district shall provide the applicant with 45 hours of preparation in the content areas listed in 5 CCR 80022. (5 CCR 80022)

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(cf. 4161.1/4361.1 – Personal Illness/Injury Leave)

(cf. 4161.11/4261.11/4361.11 – Industrial Accident/Illness Leave)

(cf. 4161.8/4261.8/4361.8 – Family Care and Medical Leave)

A request for the TPSL shall only be submitted if the district has made reasonable efforts to hire a substitute with a full teaching credential that matches the setting and /or subject for the statutory leave position and no such candidate is available.

The district shall verify to the CTC that it will provide the interim teacher: (5 CCR 80022)

1. An orientation to the assignment before or during the first month of service in the statutory leave assignment.
2. An average of two hours 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.
3. 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.

The holder of the TPSL may serve as the interim teacher of record for up to the full length of the leave(s) during the school year.

The Superintendent or designee shall maintain documentation on the assignment in accordance with 5 CCR 80022. He/she shall annually report data on the use of the TPSL to the County Superintendent of Schools for assignment monitoring pursuant to Education Code 44258.9. (5 CCR 80022)

(cf. 4113 – Assignment)

The Superintendent or designee may annually request renewal of the TPSL, provided that no substitute with a full teaching credential is available for the assignment. The application for each reissuance shall include verification that the interim teacher has completed an additional 45 hours of preparation and the district is continuing to provide mentoring in accordance with items #2-3 above. (5 CCR 80022)

Visiting Faculty Permits

The district may request that the CTC issue a visiting faculty permit authorizing an individual to teach in departmentalized classes if he/she has at least three years full-time teaching experience at an accredited postsecondary institution, possesses a master's degree in a subject area closely related to the subject he/she proposes to teach, and meets other qualifications specified in law. In such cases, the district shall provide the CTC with both of the following: (Education Code 44300.1)

1. Annual documentation that the district has implemented a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, and participating in job fairs in California, but has been unable to recruit a sufficient

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number of certificated teachers to teach the subject matter that the visiting faculty member proposes to teach

2. The Board-adopted Declaration of Need for Fully Qualified Educators based on the documentation set forth in item #1

~~Credential Waiver/Long-Term Emergency Permits~~

~~If a teacher who has completed a teacher preparation program is unavailable for an assignment, the district shall make reasonable efforts to recruit an individual for the assignment in the following order: (Education Code 44225.7)~~

- ~~1. A candidate who is qualified to participate in and enrolls in an approved internship program in the region of the district~~
- ~~2. A candidate who is scheduled to complete preliminary credential requirements within six months and who is provided orientation, guidance, and assistance by the district~~

~~If an individual who meets the criteria specified in item #1 or #2 above is not available to the district, the district may, as a last resort, request from the CTC a credential waiver or an emergency permit for the assignment of an individual who does not meet those criteria. (Education Code 44225.7; 5 CCR 80023-80023.2, 80026)~~

~~The district may request an emergency permit authorizing resource specialist, Crosscultural, Language and Academic Development (CLAD), bilingual, or teacher librarian services.~~

~~In order to request an emergency permit, the district shall annually submit a Board approved Declaration of Need for Fully Qualified Educators on a form provided by the CTC. The declaration shall include certification that the district has made reasonable efforts to recruit a fully prepared teacher for the assignment. (Education Code 44225.7; 5 CCR 80023.2, 80026)~~

As necessary, the Superintendent or designee may request that the CTC issue an emergency resource specialist permit, emergency teacher librarian services permit, emergency crosscultural language and academic development permit, or emergency bilingual authorization permit. (5 CCR 80024.3.1, 80024.6, 80024.7, 80024.8)

The Superintendent or designee shall provide any first-time recipient of an emergency teaching permit with an orientation ~~to teaching~~ which, to the extent reasonably feasible, shall occur before he/she begins a teaching assignment. **The Superintendent or designee may vary the nature, content, and duration of the orientation to match the amount of training and experience previously completed by the emergency permit teacher.** The orientation shall include, but not be limited to, the curriculum the teacher is expected to teach and effective techniques of classroom instruction **and classroom management** at the assigned grade-level span. The emergency permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or county office of education and who has completed at least three years of full-time classroom teaching experience. (5 CCR 80026.5)

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(cf. 4117.14/4317.14 - Postretirement Employment)

Substitute Teaching Permits

The district may employ **a person whose credential or permit authorized substitute teaching services, provided that:**~~for day-to-day substitute teaching, at any grade level, a person with an emergency substitute permit issued by the CTC with the following restrictions:~~

1. A person holding an emergency 30-day substitute permit, **STSP, PIP, TPSL**, or any valid teaching or services credential that requires at least a bachelor's degree and completion of the CBEST, shall not serve as a substitute for more than 30 days for any one teacher during the school year. He/she shall not serve as a substitute in a special education classroom for more than 20 days for any one teacher during the school year. (5 CCR 80025, 80025.3, 80025.4)
2. A person with an emergency career substitute teaching permit shall not serve as a substitute for more than 60 days for any one teacher during the school year. (5 CCR 80025.1)
3. A person with an emergency substitute permit for prospective teachers shall not serve as a substitute for more than 30 days for any one teacher during the school year and not more than 90 days total during the school year. (5 CCR 80025.2)
4. A person with an emergency **designated subjects 30-day** substitute **teaching** permit for career technical education shall teach only in a program of technical, trade, or vocational education and **shall** not serve as a substitute for more than 30 days for any one teacher during the school year. (5 CCR 80025.5)

Before employing a person with an emergency substitute permit pursuant to item #1 or 4 above, the Superintendent or designee shall prepare and keep on file a signed Statement of Need for the school year. The Statement of Need shall describe the situation or circumstances that necessitate the use of a 30-day substitute permit holder and state either that a credentialed person is not available or that the available credentialed person does not meet the district's specified employment criteria. (5 CCR 80025, 80025.5)