

AMENDED IN SENATE APRIL 27, 1999

**SENATE BILL**

**No. 1309**

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**Introduced by Senator Baca**

March 17, 1999

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An act to add ~~and repeal~~ Section 44302 of the Education Code, relating to teacher credentialing, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1309, as amended, Baca. Teacher credentialing: emergency permits.

Existing law requires the Commission on Teacher Credentialing to establish standards for the issuance and renewal of teacher credentials and authorizes the commission to waive provisions governing the preparation or licensing of educators for certain purposes, including to provide a credential candidate additional time to complete a credential requirement, to allow a school district or school to implement an education reform or restructuring plan, and when deemed appropriate by the commission. Existing law authorizes the commission to issue or renew emergency teaching or specialist permits if certain conditions are met and requires the holder of a an emergency permit, among other things, to participate in ongoing training, coursework or seminars designed to prepare the individual to become a fully credentialed teacher or other educator in the subject area in which he or she is assigned to teach or serve.

~~This bill would, notwithstanding a regulation regarding the issuance of an emergency 30-day substitute teaching permit~~

~~adopted by the Commission on Teacher Credentialing, authorize a school district to allow the holder of an emergency 30 day substitute teaching permit to serve for more than 30 days as a substitute in any classroom for any one teacher during the school year when the governing board of the school district adopts a resolution certifying there exists a shortage of credentialed teachers who could fill the position for more than 30 days. The bill would repeal this provision as of January 1, 2006.~~

*This bill would require the commission to regularly notify local education agencies of the various provisions in current law that allow the assignment of personnel when a fully qualified teacher is not available and a substitute has served for the maximum days permitted by law.*

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: no. Fiscal committee: ~~no~~—yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 44302 is added to the Education  
2 Code, to read:

3 ~~44302. (a) Notwithstanding Section 80025 of the~~  
4 ~~California Code of Regulations, a school district may allow~~  
5 ~~the holder of an emergency 30-day substitute teaching~~  
6 ~~permit to serve for more than 30 days as a substitute in any~~  
7 ~~classroom for any one teacher during the school year~~  
8 ~~when the governing board of the school district adopts a~~  
9 ~~resolution certifying there exists a shortage of~~  
10 ~~credentialed teachers who could fill the position for more~~  
11 ~~than 30 days.~~

12 ~~(b) This section shall remain in effect only until~~  
13 ~~January 1, 2006, and as of that date is repealed, unless a~~  
14 ~~later enacted statute, that is enacted before January 1,~~  
15 ~~2006, deletes or extends that date.~~

16 *44302. The Commission on Teacher Credentialing*  
17 *shall regularly notify local education agencies of the*  
18 *various provisions in current law that allow the*  
19 *assignment of personnel when a fully qualified teacher is*



1 *not available and a substitute has served for the maximum*  
2 *days permitted by law, including emergency permits*  
3 *under Section 44300, long-term and short-term waivers*  
4 *under subdivision (m) of Section 44225, pre-intern*  
5 *certificates under Section 44305, and intern permits*  
6 *under Sections 44235, 44250, and 44464. When fulfilling*  
7 *the notification requirements of this section, the*  
8 *commission shall utilize a variety of approaches,*  
9 *including, but not limited to, correspondence, annual*  
10 *workshops for credential analysts, a credential handbook,*  
11 *a waiver handbook, the commission website, and special*  
12 *telephone, fax, and e-mail lines for school districts and*  
13 *county offices of education. Additionally, the commission*  
14 *shall provide local education agencies with information*  
15 *about waiver requests including specific timelines, key*  
16 *steps, and appeal rights.*

17 SEC. 2. This act is an urgency statute necessary for the  
18 immediate preservation of the public peace, health, or  
19 safety within the meaning of Article IV of the  
20 Constitution and shall go into immediate effect. The facts  
21 constituting the necessity are:

22 In order to improve the educational instruction of  
23 pupils which is being adversely effected by the present  
24 severe shortage of credentialed teachers and the  
25 limitation imposed by the operation of a current  
26 regulation adopted by the Commission on Teacher  
27 Credentialing, it is necessary that this act take effect  
28 immediately.

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