

CERTIFICATION

~~The Superintendent or designee shall ensure that persons employed in positions requiring certification qualifications possess the appropriate credential or permit from the Commission on Teacher Credentialing (CTC) authorizing their employment in such positions.~~

~~When fully credentialed teachers are not available, the district may employ persons with intern credentials, emergency permits, pre-intern certificates or credential waivers under the conditions and limitations provided in state and federal law.~~

~~As necessary, all teachers of core academic subjects teaching in programs supported by federal Title I funds shall meet the requirements of the No Child Left Behind Act. By the end of the 2005-06 school year, all teachers of core academic subjects shall meet the requirements of the No Child Left Behind Act. (20 USC 6319, 7801; 5 CCR 6100-6125)~~

The Governing Board 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.

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.

Priorities for Hiring Based on Unavailability of Credentialed Teacher

Note: When the district is unable to hire a "fully prepared" teacher who has completed a teacher preparation program (i.e., a teacher who holds a clear or preliminary teaching credential), Education Code 44225.7 permits the district to hire a teacher without those credentials. Education Code 44225.7 establishes a hierarchy for such hires, as provided in items #1-3 below.

The Superintendent or designee shall make reasonable efforts to recruit a fully prepared teacher for each assignment. 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)

Note: Pursuant to Education Code 44225.7, if a credentialed teacher is not available, priority must be given to employing an individual who is enrolled in an approved intern program, as provided in item #1 below. CTC Coded Correspondence 13-01 clarifies that such an individual must possess a CTC-issued intern credential.

1. A candidate who enrolls in an approved intern program in the region of the district and possesses an intern credential

Note: Pursuant to Education Code 44225.7, next priority for filling a position should be for a candidate who is scheduled to complete preliminary credential requirements within six months, as provided in item #2 below. CTC Coded Correspondence 13-01 clarifies that such an individual must qualify for and obtain a provisional internship permit (PIP) or short-term staff permit (STSP).

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Note: Pursuant to 5 CCR 80021-80021.1, the district may employ persons with an STSP when needed to immediately staff classrooms based on unforeseen circumstances, or a PIP when the district has conducted a diligent search but has been unable to recruit a credentialed teacher. Each of these options requires the district to provide orientation, training, and/or guidance; see the accompanying administrative regulation.

2. A candidate who is scheduled to complete preliminary credential requirements within six months and who holds a provisional internship permit (PIP) or short-term staff permit issued by the CTC

Note: 5 CCR 80021.1 requires that a notice of intent to employ a person with a PIP be made public as described in the following paragraph. A copy of the agenda item and the Superintendent or designee's verification of the Governing Board's favorable action must be included as part of the application to the CTC along with other required verifications; see the accompanying administrative regulation.

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)

Note: Pursuant to Education Code 44225.7, when the district is unable to recruit a credentialed teacher or a teacher who meets the qualifications specified in items #1-2 above, it may request that the CTC issue a "variable term" credential waiver (Education Code 44225; 5 CCR 80120-80125) or a long-term emergency permit (Education Code 44300; 5 CCR 80023-80026.6), as provided in item #3 below.

Note: The STSP and PIP have replaced multiple subject, single subject, and education specialist emergency permits, but the CTC continues to issue the emergency resource specialist permit (5 CCR 80024.3.1), emergency teacher librarian services permit (5 CCR 80024.6), emergency crosscultural, language and academic development permit (5 CCR 80024.8), and emergency bilingual authorization permit (5 CCR 80024.7).

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

Note: Pursuant to 5 CCR 80023.2, 80026, and 80027-80027.1, the Board must annually approve a Declaration of Need for Fully Qualified Educators prior to hiring a person with an emergency permit or a limited assignment permit to teach outside his/her area of certification. The form for the Declaration of Need is available in the CTC's online Credential Information Guide, which may be accessed only by employers. Pursuant to 5 CCR 80026, the Declaration of Need must be approved at a regularly scheduled public Board meeting and is valid for up to 12 months, expiring on June 30 following its submission to CTC.

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 approve 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 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)

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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 Board 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 teachers about the program and how to acquire the necessary application and information materials. *In accordance with the collective bargaining 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.*

The Superintendent or designee may provide release time and support to teachers participating in the program.

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 certification

(cf. 5145.6 - Parental Notifications)

Note: As amended by P.L. 114-95, 20 USC 6312 requires the following notice to parents/guardians whenever a student 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.

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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 Reference:

EDUCATION CODE

[8360-8370](#) *Qualifications of child care personnel*
[32340-32341](#) *Unlawful issuance of a credential*
[42647](#) *Drawing of warrants*
[44066](#) *Limitations on certification requirements*
[44200-44405](#) *Teacher credentialing, especially:*
[44225.6](#) *CTC annual report on credentials, internships and emergency permits*
[44225.7](#) *Priorities for recruitment when fully prepared teacher not available*
[44251](#) *Period of credentials*
[44252](#) *Standards and procedures for issuance; proficiency testing of basic skills*
[44252.5](#) *State basic skills assessment required for certificated personnel*
[44259](#) *Minimum requirements for teaching credential*
[44259.5](#) *Standards for teachers of all students, including English language learners*
[44259.8](#) *Alternative means of entering teaching profession*
[44270.3-44270.4](#) *Out-of-state credentials, administrative services*
[44274-44274.5](#) *Out-of-state credentials*
[44275.3](#) *Employment of teachers with out-of-state credentials*
[44277](#) *Requirements for maintaining valid credentials*
[44278](#) *Credential appeal*
[44300-44301](#) *Emergency permits*
[44302](#) *CTC notification re district options when fully qualified teacher not available*
[44305-44308](#) *Pre-internship teaching certificates*
[44325-44329](#) *District interns*
[44330-44355](#) *Certificates and credentials*
[44395-44399](#) *National Board for Professional Teaching Standards*
[44464](#) *Period of validity of internship credential*
[44468](#) *Early completion of internship program*
[44500-44508](#) *Peer Assistance and Review Program for Teachers*
[44662](#) *Performance evaluation; Stull Act review*
[44735](#) *Teaching as a priority block grant*
[44751](#) *Recruitment centers*
[44830-44929](#) *Employment of certificated persons; requirement of proficiency in basic skills*
[56060-56063](#) *Substitute teachers in special education*
[90530](#) *Recruitment Centers*

CODE OF REGULATIONS, TITLE 5

[6100-6125](#) *Teacher qualifications, No Child Left Behind Act*
[80001-80674.6](#) *Commission on Teacher Credentialing*

UNITED STATES CODE, TITLE 20

[6311](#) *Parental notifications*
[6312](#) *District Title I plan*
[6319](#) *Highly qualified teachers*
[7801](#) *Definitions, highly qualified teacher*

CODE OF FEDERAL REGULATIONS, TITLE 34

[200.55-200.57](#) *Highly qualified teachers*
[200.61](#) *Parent notification regarding teacher qualifications*