



September 22, 2005

Ms. Paula Higashi
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814



Dear Ms. Higashi:

As requested in your letter of October 7, 2003, the Department of Finance has reviewed the test claim submitted by the San Diego County Office of Education (claimant) asking the Commission to determine whether specified costs incurred under various sections of the Education Code and various sections of Title V of the California Code of Regulations (CCR) relating to teacher credentialing are reimbursable state mandated costs (Claim No. CSM-03-TC-09 "Teacher Credentialing").

Before addressing the individual activities specified in the test claim, we call attention to Education Code Section 13274 as it existed in the Education Code in 1973:

"Governing boards of school districts shall employ for positions requiring certification qualifications, only persons who possess the qualifications therefore prescribed by law. It shall be contrary to the public policy of this state for any person or persons charged, by said governing boards, with the responsibility of recommending such persons for employment by said boards to refuse or to fail to do so for reasons of race, color, religious creed, sex, or national origin of said applicants for such employment." (Emphasis added) [Exhibit A]

This section of the Education Code exists today essentially verbatim (only minor technical changes have been made) as Section 44830 [Exhibit B]. While the Education Code has been amended and modified with some new credentialing requirements added and old requirements removed, these requirements are essentially upon the teachers themselves. The requirement that districts only employ persons who possess the qualifications prescribed by law has not changed. Therefore, local educational agencies (LEAs) have continuously been required to conduct activities to ensure they meet this requirement of law, for which they receive base revenue limit funding, prior to the enactment of statutes requiring state mandated reimbursement.

Due to the vast number of claimed activities in this test claim, we will discuss each activity below with the appropriate Education Code or CCR reference in italics followed by our comments. Similar activities are combined when possible. Commencing with page 97, of the test claim, claimant has identified the following new duties, which it asserts are reimbursable state mandates:

A and 1—Chapter 2 (commencing with Section 44200), Chapter 4 (commencing with Section 44800) of Part 25 of the Education Code, and various sections of the CC—We note that the

A and 1—Chapter 2 (commencing with Section 44200), Chapter 4 (commencing with Section 44800) of Part 25 of the Education Code, and various sections of the CC—We note that the Education Code and CCR in existence prior to 1975 contained a multitude of provisions relating to teacher credentialing and employment. While some of those specific activities may have changed or been modified over the years, an essential requirement of operating a school is the employment of teachers. Therefore, the duties cited by the claimant pre-existed the mandate reimbursement law and any activities claimed in this section should be deemed to be funded by base revenue limit funding provided to LEAs.

B—Education Code §44225(m)—This Section requires the Commission on Teacher Credentialing (CTC) to review waiver requests that have been submitted by LEAs. There is no statutory requirement that LEAs submit waivers. Therefore, the submission of waivers by an LEA is a voluntary activity that does not result in a reimbursable mandate.

C and D—Education Code §44225.7(a) and §44225.7(b)—These Sections require LEAs to follow certain procedures for requesting the assignment of a teacher who is not credentialed. There is no statutory requirement that LEAs hire non-credentialed teachers. In fact, Education Code §44225.7 states specifically that "...the district may, as a last resort, request approval for the assignment of a person who does not meet that criteria." This Section provides districts with the option of assigning a teacher that is not fully qualified, but does not require it. These requirements only apply when the LEA has voluntarily made these hiring choices and therefore, do not result in any reimbursable state mandated activities.

E, F, and G—Education Code §44300(a)(3), §44300(g), and §44301(b)—These Sections lay out specific requirements in the hiring and employment of Emergency Permit holders. There is no statutory requirement that LEAs employ Emergency Permit holders. These requirements only apply when the LEA has voluntarily made these hiring choices. The hiring of an Emergency Permit holder is a voluntary action of the LEA and therefore does not result in any reimbursable state mandated activities.

H, I, O, P, T, and U—Education Code §44326(d), §44327(a), §44830.3(a), §44830.3(b), §44885.5(a), and §44885.5(b)—These Sections lay out specific procedures for various aspects of a district intern program. District intern programs are not statutorily required and are a voluntary action of an LEA. Therefore, these Sections do not result in any state reimbursable mandated activities as they stem from LEA participation in a voluntary program.

J—Education Code §44332(b)—County offices of education are allowed to issue Temporary County Certificates. It is not statutorily required that counties offer them and it is not statutorily required that LEAs request them. Therefore, this Section does not result in any state reimbursable mandated activities as it stems from a voluntary action.

K—Education Code §44830(a)—This Section existed essentially verbatim (only minor technical changes) in the 1973 Education Code as Section 13274 [Exhibit A]. Therefore, this Section does not result in any state reimbursable mandated activities as it existed prior to the constitutional requirement for reimbursement.

L—Education Code §44830(b)—This section requires that an LEA not hire a permanent, temporary, or substitute teacher unless that person has demonstrated basic skills proficiency or is exempted from the requirement by other sections of the Education Code. As previously stated, Education Code Section 13274, as it existed in the Education Code in 1973, already required school districts to only employ persons who possess the qualifications prescribed by

law. This would include ensuring that all teachers employed by the district have met or are exempt from the basic skills proficiency requirement. In addition, the Section allows LEAs to administer the basic skills proficiency test required by the Education Code. However, the Section does not require that an LEA administer the test and, in fact, the CTC offers several administrations of the basic skills test each year. The Section contains legislative intent language regarding the development of a pool of qualified emergency substitute teachers, public notice of the basic skills test requirements, and encouragement of individuals who are known to be qualified to be substitutes to take the exam. However, as legislative intent language, this part of the Section does not statutorily require the LEA to do these things.

M and N—Education Code §44830(i) and §44830(j)—These Sections state the protocol for hiring teachers with vocational designated subject credentials and the passage of a basic skills proficiency test. These Sections do not result in any reimbursable state mandated activities as there is no statutory requirement that LEAs hire teachers with vocational designated subject credentials. Furthermore, Section 44830(j) allows LEAs to charge a fee to the individual for taking the test to cover costs including the costs of developing the test, administering the test, and grading the test.

Q and R—Education Code §44842(a) and §44842(b)—These Sections specify the requirements for when a teacher fails to notify the LEA of their intent to remain for the following academic year. Section 44842(a) existed essentially verbatim (minor technical changes) in Education Code Section 13260 (as printed in 1973) [Exhibit C] and applied to all teachers. Section 44842(b) was added at a later time; however it only serves to clarify how the intent of Section 44842(a) would be applied to teachers who teach in year-round schools. Therefore, this Section does not result in any reimbursable activities as it existed prior to the constitutional requirement for reimbursement.

S—Education Code §44842(c)—This Section requires that prior to termination of an employee who has failed to report for duty, the LEA provide at least five days notice of the time and place for which the employee was to have reported to work. This Section also specifies that it only applies to employees who did not request or were not granted a leave of absence and, furthermore, only applies to employees who were on leave of absence for 20 or more consecutive working days after April 30 of the previous year. This Section does not require that the LEA terminate the employee, only that if they do, they provide the notification first. Therefore, this Section does not result in any state reimbursable activities, as there is not a statutory requirement to proceed with the termination.

V—Education Code §44901(b)—This Section specifies the procedures relating to the notification of a certificated employee during the second year of employment of the LEA decision to reelect or not reelect the employee for the next year. This Section applies specifically to certificated employees who are serving in two or more districts. However, Education Code Section 13346.30 (as printed in 1973) [Exhibit D] already contained requirements regarding the notification of employees of the LEA's intent to reelect or not reelect the employee for first and second year employees. Therefore, while this Section applies specifically to employees working in multiple districts, it is not a new requirement and therefore does not result in any state reimbursable mandated activities.

W and X—Education Code §45037(a), 45037(b), and 45037(c)—These Sections specify that if a person renders service as a teacher and does not have a valid certification document, the district will be assessed a penalty and that if a county office of education draws a warrant for that person they too shall be assessed a penalty. These Sections only result in a penalty if the

LEA has not been diligent in ensuring that their employees have the appropriate certification documents. Therefore, these Sections do not result in any state reimbursable mandated activities as the LEA could have avoided the situation.

2—Section 80005(b) of Title 5 of the CCR—This Section specifies the requirements when an LEA opts to assign a teacher to an area outside of the broad areas of the teacher's credential. There is no statutory requirement to assign a teacher to an area outside their credential area. Doing so is a voluntary action on behalf of the LEA. Therefore, this Section does not result in any state reimbursable mandated activities as it stems from a voluntary action.

3—Section 80016(a)(3) of Title 5 of the CCR—This Section specifies the requirements for issuance of a Certificate of Completion. There is no statutory requirement to offer these Certificates of Completion; therefore this Section does not result in any state reimbursable mandated activities as the initial action is voluntary.

4—Section 80020.4.1(e) of Title 5 of the CCR—This Section requires that an LEA keep on file the verification of the teaching experience for an individual who has developed, directed, implemented, or coordinated reading programs for a minimum of three years prior to July 1, 2004, on the basis of a California teaching credential based on a baccalaureate degree and a teacher preparation program, including student teaching or the equivalent who continues in such assignment. The choice of continuing an employee who qualifies for this exemption instead of someone who meets the newer requirements for reading programs as specified in Section 80020.4.1(d) [Exhibit E] is the option of the LEA. Therefore, this Section does not result in any state reimbursable mandated activities as the initial action is voluntary.

5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18—Sections 80023.1(b), 80023.2(d), 80025(c), 80025.1(a), 80025.1(b), 80025.5, 80026, 80026.1, 80026.5(a), 80026.5(b), 80026.6(a), and 80027(a), and 80027(b) of Title 5 of the CCR—These Sections specify the procedures that must be followed when LEAs request authorization for, and employ, Emergency Permit holders, Emergency 30-Day Substitute Permit holders, Emergency Career Substitute Teaching Permit holders, Designated Subjects Vocational Education Permit holders, and Limited Assignment Multiple or Single Subject Teaching Permit holders. There is no statutory requirement that LEAs hire employees with these credentials instead of fully qualified teachers. These requirements only apply when the LEA has voluntarily made these hiring choices. Therefore, these Sections do not result in any reimbursable state mandated activities.

19, 20, 21, 22, and 23—Section 80035(a), 80035(b), 80035(c), 80035(d) and 80035.5 of Title 5 of the CCR—These Sections specify procedures related to the credentialing of vocational education teachers. While the Sections do require certain activities of the LEAs with regards to teachers with vocational certification or those in the process of obtaining vocational certification, there is no statutory requirement that LEAs employ vocational education teachers. Therefore, these Sections do not result in any state reimbursable mandated activities as these Sections only apply when an LEA has voluntarily opted to provide a vocational program.

24, 25, 26, 27, 28, 29, 30, 31, and 32—Sections 80036(a), 80036(b), 80036(c), 80036(d), 80036.1(a), 80036.1(b), 80036.1(c), 80036.1(d), and 80036.3(a) of Title 5 of the CCR—These Sections specify procedures related to the credentialing of adult education teachers with adult education credentials. While the Sections do require certain activities of the LEAs with regards to teachers with adult education credentials, there is no statutory requirement that adult education teachers have adult education credentials. Pursuant to Education Code § 44865 [Exhibit F], an adult education class can be taught by anyone with a valid teaching credential

based upon a bachelor's degree, student teaching, and special fitness to perform, if the teacher provides consent. Additionally, these Sections apply to the submission of applications for the issuance or reissuance of preliminary adult education credentials or for the issuance of clear adult education credentials. Not only is there no requirement to hire someone with an adult education credential, there is no statutory requirement that an LEA hire an individual that does not already possess a clear credential. These requirements only apply when the LEA has voluntarily made these hiring choices. Therefore, these Sections do not result in any reimbursable state mandated activities.

*33, 34, 35, 36, and 37—Sections 80037(a), 80037(b), 80037.5(b), 80038(a), and 80040(a) of Title 5 of the CCR—*These Sections specify the requirements upon an LEA when submitting an application for various forms of a Designated Subjects Special Subjects Teaching Credential. There is no statutory requirement that an LEA provide the courses for which a Designated Subjects credential would be applicable. These courses include driver's education, aviation flight or aviation ground, and basic military drill. Therefore, if an LEA voluntarily provides these courses, then they have voluntarily taken on the procedures and requirements of these Sections. Therefore, these Sections do not result in any reimbursable state mandated activities.

*38, 39, and 40—Sections 80043(a), 80043(b), 80043(c), 80045(a), and 80045(b) of Title 5 of the CCR—*These Sections specify the requirements upon an LEA when submitting an application for an Eminence Credential. There is no statutory requirement that an LEA request an Eminence Credential for an employee. Education Code §13133 (as printed in 1973) [Exhibit G] and currently Education Code §44262 [Exhibit H] have always stated, "Upon the recommendation of the governing board of a school district, the commission may issue an eminence credential..." Since, there is no statutory requirement that an LEA requests an Eminence Credential for an employee and if an LEA voluntarily applies, then they have voluntarily taken on the procedures and requirements of these Sections. Therefore, these Sections do not result in any reimbursable state mandated activities.

*41 and 42—Sections 80047.2(a) and 80047.4(a)(4) of Title 5 of the CCR—*These Sections only apply when the employee is placed in a classroom and does not possess the approved credential. There is no statutory requirement that an LEA place a teacher who does not possess the approved credential in that classroom. Therefore, if an LEA voluntarily places a teacher who is subject to the additional requirements of the regulations due to the credential they possess, then the LEA has voluntarily taken on the procedures and requirements of these Sections. Therefore, these Sections do not result in any reimbursable State mandated activities.

*43 and 44—Section 80048.2(a) and 80048.2(f) of Title 5 of the CCR—*These Sections only apply to Preliminary Specialist Instruction Credentials in Special Education, these credentials are only approved for a five year period and are not renewable. The CTC indicates that they have not issued these credentials since June 30, 1998. Therefore, these Sections do not result in any reimbursable state mandated costs.

*45, 46, and 47—Section 80048.3(a), 80048.3(b), and 80048.3(c) of Title 5 of the CCR—*These Sections specify the requirements for obtaining a level 1 Education Specialist Instruction Credential both when the applicant is trained in California and when they are trained out-of-state. While these Sections do make requirements upon the LEAs, there is no statutory requirement that an LEA hire an individual who has not yet received their credential or to hire an individual who was trained out-of-state. These requirements only apply when the LEA has

voluntarily made these hiring choices. Therefore, these Sections do not result in any reimbursable state mandated activities.

48 and 66—Section 80048.3.1(a) and 80466 of Title 5 of the CCR—These Sections require that an individual who is applying for a credential based on out-of-state training and work experience provide specific documentation. The requirements contained in these Sections apply to the out-of-state LEA, not a California LEA. Therefore, these Sections do not result in any reimbursable state mandated activities.

49, 50, 51, 56, 57, 58, and 59—Sections 80048.4(a), 80054(a), 80054(d), 80070.2(a), 80070.3(a), 80070.4(a), and 80070.6(a) of Title 5 of the CCR—These Sections provide specific requirements when an individual is applying for various credentials. The Sections do require that the employing agencies verify successful work experience. However, Education Code Section 13200.3 (as printed in 1973) [Exhibit I] requires that districts certify, "...whether such holder possesses acceptable professional abilities as indicated by classroom performance." Therefore, verifying successful work experience is not a new requirement. Furthermore, while these Sections do make requirements upon the LEAs, there is no statutory requirement that an LEA hire an individual who has not yet received the specified credential. These requirements only apply when the LEA has voluntarily made this hiring choice. Therefore, this Section does not result in any reimbursable state mandated activities.

52 and 53—Sections 80055.1(a), and 80055.2(a) of Title 5 of the CCR—These Sections provide the specific requirements for Exchange Certificated Credentials and Sojourn Certificated Employee Credentials. There is no statutory requirement that an LEA hire an individual who would require an exchange or sojourn certificate. These requirements only apply when the LEA has voluntarily made this hiring choice. Therefore, this Section does not result in any reimbursable state mandated activities.

54 and 55—Sections 80058.2(a) and 80058.2 (b) of Title 5 of the CCR—These Sections allow an LEA to request an extension when an individual's preliminary credential or 30-day substitute credential expires prior to the end of the school year. There is no statutory requirement to employ individuals with these certificates in the first place and further, there is no statutory requirement to continue to employ them once their certificate has expired. These requirements only apply when the LEA has voluntarily made this hiring choice and then choose to continue employment when the credential has expired. Therefore, this Section does not result in any reimbursable state mandated activities.

60—Section 80071.4(h) of Title 5 of the CCR—This Section specifies the requirements when an LEA requests a special administration of the basic skills examination. The CTC offers the California Basic Educational Skills Test (CBEST) six times per year. There is no statutory requirement that an LEA provide a special administration of the CBEST. Therefore, this Section only applies when an LEA voluntarily chooses to offer the special administration and thus, this Section does not result in any reimbursable state mandated activities.

61 and 62—Sections 80413.3(a) and 80413.3(b) of Title 5 of the CCR—These Sections provide the specific requirements for preliminary and professional clear multiple and single subject teaching credentials for experienced out-of-state credentialed teachers. However, while these Sections do make requirements upon the LEAs, there is no statutory requirement that an LEA hire an individual who has an out-of-state credential. These requirements only apply when the LEA has voluntarily made this hiring choice. Therefore, this Section does not result in any reimbursable state mandated activities.

63—Section 80435(b) of Title 5 of the CCR—This Section provides alternative modes in which academic transcripts may be submitted to the CTC. An institute of higher education providing the coursework, not an LEA, should normally submit academic transcripts. Therefore, this Section does not result in any reimbursable state mandated activities.

64 and 65—Sections 80441(a) and 80441(c)—These Sections provide the specific requirements when a county office of education issues a Temporary County Certificate. County offices of education are allowed to issue Temporary County Certificates. It is not statutorily required that counties offer them and it is not statutorily required that LEAs request them. Therefore, this Section does not result in any state reimbursable mandated activities as it stems from a voluntary action.

67, 68, 69, 70, 71 and 72—Sections 80556(a), 80556(c), 80556(j), 80556.1(a), 80556.1(e), and 80056.1(h) of Title 5 of the CCR—These Sections provide the specific requirements regarding the provision and use of professional growth advisors. These Sections do place requirements upon LEAs.

73, 74, and 75—Sections 80601 and 80601(c) of Title 5 of the CCR—These Sections provide the specific requirements for Validation of Service Requests. There is no statutory requirement that an LEA request a Validation of Service, thus this is a voluntary action. Therefore, these Sections do not result in any reimbursable state mandated activities.

As the result of our review, we have concluded that the statutes and regulations may have resulted in some higher level of activities, most of which were triggered by a voluntary action. However, as we stated on the first page of our analysis, districts receive base revenue limit funding in order to perform the basic function of providing public education, which includes staffing classes with teachers and meeting the legal requirements of Education Code Section 13224 (as printed in 1973) [Exhibit A] and Education Code Section 44830 (Statutes of 2004) [Exhibit B]. Therefore any finding of reimbursable activities should be offset by funding already received. If the Commission reaches the same conclusion at its scheduled hearing on the matter, the nature and extent of the specific activities required could be addressed in the parameters and guidelines, which will then have to be developed for the program.

As required by the Commission's regulations, we are including a "Proof of Service" indicating that the parties included on the mailing list which accompanied your October 7, 2003 letter have been provided with copies of this letter via either United States Mail or, in the case of other state agencies, Interagency Mail Service.

If you have any questions regarding this letter, please contact Barbara Taylor, Principal Program Budget Analyst at (916) 445-0328 or Jesse McGuinn, state mandates claims coordinator for the Department of Finance, at (916) 445-8913.

Sincerely,



Jeannie Oropeza
Program Budget Manager

Attachments

Attachment A

DECLARATION OF BARBARA TAYLOR
DEPARTMENT OF FINANCE
CLAIM NO. CSM-03-TC-09

1. I am currently employed by the State of California, Department of Finance (Finance), am familiar with the duties of Finance, and am authorized to make this declaration on behalf of Finance.
2. We concur that the various sections of the Education Code and various sections of Title V of the California Code of Regulations sections relevant to this claim are accurately quoted in the test claim submitted by claimants and, therefore, we do not restate them in this declaration.
3. Attachment B is a true copy of Finance's analysis of prior to its enactment as various sections of the Education Code and various sections of Title V of the California Code of Regulations.

I certify under penalty of perjury that the facts set forth in the foregoing are true and correct of my own knowledge except as to the matters therein stated as information or belief and, as to those matters, I believe them to be true.

Sept 22, 2005
at Sacramento, CA

Barbara J. Taylor
Barbara Taylor

PROOF OF SERVICE

Test Claim Name: Teacher Credentialing
Test Claim Number: CSM-03-TC-09

I, the undersigned, declare as follows:

I am employed in the County of Sacramento, State of California, I am 18 years of age or older and not a party to the within entitled cause; my business address is 915 L Street, 7 Floor, Sacramento, CA 95814.

On , I served the attached recommendation of the Department of Finance in said cause, by facsimile to the Commission on State Mandates and by placing a true copy thereof: (1) to claimants and nonstate agencies enclosed in a sealed envelope with postage thereon fully prepaid in the United States Mail at Sacramento, California; and (2) to state agencies in the normal pickup location at 915 L Street, 7 Floor, for Interagency Mail Service, addressed as follows:

A-16
Ms. Paula Higashi, Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
Facsimile No. 445-0278

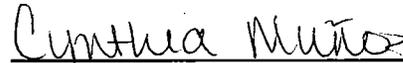
B-8
State Controller's Office
Division of Accounting & Reporting
Attention: William Ashby
3301 C Street, Room 500
Sacramento, CA 95816

B-29
Marianne O'Malley
Legislative Analyst's Office
925 L Street, Suite 1000
Sacramento, CA 95814

Ms. Lora Duzyk
San Diego County Office of Education
6401 Linda Vista Road
San Diego, CA 92111

Mr. Sam Swofford
Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, CA 95814

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on at Sacramento, California.



Cynthia Muñoz

Exhibit A

Employment Restricted to Persons Possessing Prescribed Qualifications; Public Policy of State Against Discrimination on Basis of Race, Etc.

13274. Governing boards of school districts shall employ for positions requiring certification qualifications, only persons who possess the qualifications therefor prescribed by law. It shall be contrary to the public policy of this state for any person or persons charged, by said governing boards, with the responsibility of recommending such persons for employment by said boards to refuse or to fail to do so for reasons of race, color, religious creed, sex, or national origin of said applicants for such employment.

(Amended by Stats. 1972, Ch. 769.)

Registration of Certification Document Renewal

13275. Each person employed by the governing board of a school district for a position requiring certification qualifications must, not later than 60 days after the date fixed by the governing board of the district for the commencement of his service, register in the manner prescribed by Section 13157 a valid certification document, issued on or before said date, authorizing him to serve in the position for which he was employed, and must, not later than 60 days after the renewal thereof, register the renewed certification document in the manner prescribed by Section 13157. If any person so employed is the holder of a California state college, or state teachers college, diploma accompanied by the certificate of the State Board of Education, or of an educational or life diploma of this State, and has presented the same to, and has had his name recorded by, the county superintendent of schools of the county as heretofore provided by this code, such person shall be deemed to have registered such diploma under Section 13157.

(Amended by Stats. 1959, Ch. 1557.)

Age or Marital Status in Employment in Positions Requiring Certification Qualifications

13277. The Legislature hereby declares that it is contrary to the interest of this State and of the people thereof for any governing board or any person or persons charged by the governing board of any school district with the responsibility of interviewing and recommending persons for employment in positions requiring certification qualifications to fail or refuse to do so for reason of the age or marital status of any applicant for such employment, except as otherwise provided in this code.

(Amended by Stats. 1961, Ch. 1700.)

Prohibition Against Certain Rules and Regulations Re Residency

13277.1. No school district may adopt or maintain any rule or regulation which requires a candidate for a position requiring certification qualifications to be a resident of the district or to become a resident of the district, or which requires that an employee maintain residency within the district; nor may a district grant any preferential treatment to

Exhibit B

- Section**
 44876. Qualifications for dental hygienists.
 44877. Qualifications for nurse.
 44878. Qualifications for optometrist.
 44879. Qualifications for school audiometrist.
 44885.5. District interns; classification as probationary or permanent employees.
 44893. Retention of permanent classification upon advancement of teacher.
 44894. Permanent classification; retention; acquisition.
 44895. Retention of permanent classification upon advancement.
 44896. Employee transfer from administrative or supervisory position to teaching position; statement of reasons.
 44897. Classification of administrator or supervisor as classroom teacher.
 44898. Permanent classification as a classroom teacher.
 44899. Permanent classification of administrator or supervisor.
 44900. Transfer of permanent employee.
 44901. Permanent status of employees who have served in more than one district; notices.
 44902.1. Districts that become unified; effect on certified employees employed during previous year in schools being acquired by the unified district.
 44902.2. Unified school district; certified employees entitled to continued employment; additional employees.
 44903. Change in organization of district; effect on probationary employees.
 44903.7. Exceptional needs local plan development or revision; certificated employee rights.
 44907. Retirement.
 44908. Complete school year for probationary employees.
 44909. Employment to perform services under contract with public or private agencies or certain categorically funded projects; attainment of permanent status.
 44910. Service at regional occupational centers or programs.
 44911. Service under provisional credential; computation for permanent classification.
 44912. Service under credential authorizing basic military drill teaching.
 44913. Summer school employment in computation for classification as permanent employee.
 44914. Substitute and probationary employment in computation for classification as permanent employee.
 44915. Probationary employees; classification.
 44916. Time of classification; written statement of employment status.
 44917. Substitute employees; temporary employment deemed probationary employment.
 44918. Substitute or temporary employee deemed probationary employee; reemployment rights.
 44919. Temporary employees.
 44920. Employment of certain temporary employees; reemployment in vacant position as probationary employee.
 44921. Employment of temporary employees; reemployment rights.
 44922. Reduction to part-time employment status; board regulations.
 44923. Termination of extra assignment of full-time permanent employee.
 44924. Waiver of benefits agreements null and void.
 44925. Part-time reader.
 44926. Teacher-assistant with temporary certificate.
 44927. Contracts assigning certificated personnel.

- Section**
 44928. Credentials of teaching staff; limitations on staff having only emergency credentials.
 44929. Certificated employees; encouragement of retirement; credit of additional service years; conditions.
 44929.1. Defined Benefit Program; credit of additional service years and age to certificated employees; conditions.

§ 44830. Employment of certificated persons

(a) The governing board of a school district shall employ for positions requiring certification qualifications, only persons who possess the qualifications therefor prescribed by law. It is contrary to the public policy of this state for any person or persons charged, by the governing boards, with the responsibility of recommending persons for employment by the boards to refuse or to fail to do so for reasons of race, color, religious creed, sex, or national origin of the applicants for that employment.

(b) Commencing on February 1, 1983, no school district governing board shall initially hire on a permanent, temporary, or substitute basis a certificated person seeking employment in the capacity designated in his or her credential unless that person has demonstrated basic skills proficiency as provided in Section 44252.5 or unless the person is exempted from the requirement by subdivisions (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), or (m).

(1) The governing board of a school district, with the authorization of the Commission on Teacher Credentialing, may administer the basic skills proficiency test required under Sections 44252 and 44252.5.

(2) The superintendent, in conjunction with the commission and local governing boards, shall take steps necessary to ensure the effective implementation of this subdivision.

It is the intent of the Legislature that in effectively implementing the provisions of this subdivision, school district governing boards shall direct superintendents of schools to prepare for emergencies by developing a pool of qualified emergency substitute teachers. This preparation shall include public notice of the test requirements and of the dates and locations of administrations of the tests. District governing boards shall make special efforts to encourage individuals who are known to be qualified in other respects as substitutes to take the state basic skills proficiency test at its earliest administration.

(3) Demonstration of proficiency in reading, writing, and mathematics by any person pursuant to Section 44252 shall satisfy the requirements of this subdivision.

(c)(1) A certificated person shall not be required to take the state basic skills proficiency test if he or she has been employed in a position requiring certification in any school district within 39 months prior to employment with the district. A person holding a valid California credential who has not been employed in a position requiring certification in any school district within 39 months prior to employment and who has not taken the state basic skills proficiency test, but who has passed a basic skills proficiency examination which has been developed and administered by the school district offering that person employment, may be employed by the governing board of that school district on a temporary basis on the condition that he or she will take the state basic skills proficiency test within one year of the date of his or her employment.

(2) A certificated person who is employed for purposes of the class size reduction program set forth in Chapter 6.10 (commencing with Section 52120) of Part 28 shall not be required to take the state basic skills proficiency test if he or she has been employed in a position requiring certification in any school district within 39 months prior to employment with the district. A person holding a valid California credential who has not been employed in a

Exhibit C

Automatic Declining of Employment

13260. If, without good cause, a permanent employee of a school district fails prior to July 1st of any school year to notify the governing board of the district of his intention to remain or not to remain in the service of the district, as the case may be, during the ensuing school year if a request to give such notice, including a copy of this section, shall have been personally served upon him, or mailed to him by United States certified mail with return receipt requested to his last known place of address, by the clerk or secretary of the governing board of the school district, not later than the preceding May 30th, he may be deemed to have declined employment and his services as an employee of the district may be terminated on June 30th of that year.

(Amended by Stats. 1973, Ch. 291.)

Notice of Employment

13261. The county superintendent of schools shall be given immediate notice in writing by the governing board of the district of the employment of persons for positions requiring certification qualifications. The notice shall include but not be limited to such data as may be prescribed by the Superintendent of Public Instruction, in regulations he is herewith authorized to adopt.

Employment Dated From First Acceptance of Probationary Position; Provision for Random Selection

13262. Except as otherwise provided in Sections 13252 to 13273, inclusive, every probationary or permanent employee employed before July 1, 1947, shall be deemed to have been employed on the date upon which he first accepted employment in a probationary position.

In case two or more employees accepted employment on the same date, the governing board of the district shall determine the order of employment by lots drawn by the employees concerned or assigned at random by an independent auditing firm employed in accordance with Section 13263 or by other means as determined pursuant to the procedures described in Article 5 (commencing with Section 13080) of Chapter 1 of this division.

(Amended by Stats. 1970, Ch. 1577.)

Employment Dated from First Acceptance of Paid Service in Probationary Position; Establishment of Date

13263. Every probationary or permanent employee employed after June 30, 1947, shall be deemed to have been employed on the date upon which he first rendered paid service in a probationary position.

Every certificated employee who first rendered paid service on the same date shall participate in a single drawing to determine the order of employment except that in school districts having an average daily attendance in excess of 15,000, an independent auditing firm may be employed to assign to such employees numbers at random which shall

Exhibit D

(c) The governing board has received recommendations of the superintendent of the district and, if the employee is employed at a community college, the recommendations of the president of that community college.

(d) The governing board has considered the statement of evaluation and the recommendations in a lawful meeting of the board.

(Added by Stats. 1971, Ch. 1654. See note following Section 13345 of this article.)

Contract Employee: First Contract

13346.20. If a contract employee is working under his first contract, the governing board, at its discretion and not subject to judicial review except as expressly provided herein, shall elect one of the following alternatives:

(a) Not enter into a contract for a second academic year.

(b) Enter into a contract for a second academic year.

(c) Employ the contract employee as a regular employee for all subsequent academic years.

(Added by Stats. 1971, Ch. 1654. See note following Section 13345 of this article.)

Contract Employee: Second Contract

13346.25. If a contract employee is employed under his second consecutive contract entered into pursuant to Section 13346.20, the governing board, at its discretion and not subject to judicial review except as expressly provided herein, shall elect one of the following alternatives:

(a) Employ the contract employee as a regular employee for all subsequent academic years.

(b) Not employ the contract employee as a regular employee.

(Added by Stats. 1971, Ch. 1654. See note following Section 13345 of this article.)

Notice re Decisions: Requirements

13346.30. The governing board shall give written notice of its decision under Section 13346.20 and the reasons therefor to the employee on or before March 15 of the academic year covered by the existing contract. Failure to give the notice as required to a contract employee under his first contract shall be deemed an extension of the existing contract without change for the following academic year. The governing board shall give written notice of its decision under Section 13346.25 and the reasons therefor to the employee on or before March 15 of the academic year covered by the existing contract. Failure to give the notice as required to a contract employee under his second consecutive contract shall be deemed a decision to employ him as a regular employee for all subsequent academic years.

(Added by Stats. 1971, Ch. 1654. See note following Section 13345 of this article.)

Exhibit E

TITLE 5. Education**Division 8. Commission on Teacher Credentialing****Chapter 1. Credentials Issued Under the Teacher Preparation and Licensing Law of 1970****Article 1. General Provisions and Definitions****§80020.4.1. Services a Teacher May Provide.****§ 80020.4.1 . Services a Teacher May Provide.**• Note • History

(a) The holder of a California teaching credential based on a baccalaureate degree and a teacher preparation program, including student teaching or the equivalent, may develop, direct, implement, or coordinate programs designed to improve instruction and enhance student learning at the school site in grades twelve and below, including preschool, and in classes organized primarily for adults.

(b) The holder of a California designated subjects adult teaching credential may develop, direct, implement, or coordinate programs designed to improve instruction and enhance student learning for adult teaching subject areas.

(c) The holder of a California designated subjects vocational teaching credential may develop, direct, implement, or coordinate programs designed to improve instruction and enhance student learning for vocational teaching subject areas.

(d) Irrespective of the provisions set out in this section, only individuals who hold either the Reading and Language Arts Specialist Credential or Administrative Services Credential may develop, direct, implement, and coordinate school district or county reading programs. Effective July 1, 2004, school site reading programs may only be developed, directed, implemented, or coordinated by individuals who hold the Reading and Language Arts Specialist Credential, Restricted Reading Specialist Credential, Reading Certificate, or Administrative Services Credential.

(e) An individual who has developed, directed, implemented, or coordinated reading programs for a minimum of three years prior to July 1, 2004, on the basis of a California teaching credential based on a baccalaureate degree and a teacher preparation program, including student teaching or the equivalent, shall be authorized to continue in such assignment. Verification of this teaching experience must be kept on file in the office of the employing agency for purposes of the monitoring of certificated assignments pursuant to Education Code Section 44258.9(b).

NOTE

Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(d) and 44258.9(b), Education Code.

HISTORY

1. New section filed 4-14-2000; operative 5-14-2000 (Register 2000, No. 15).
2. Amendment of section heading and section filed 12-23-2002; operative 1-22-2003 (Register 2002, No. 52).

§80020.5. Additional Assignment Authorizations for Specified Pupil Personnel Services Credentials.

Exhibit F

§ 44858. Age or marital status in employment in positions requiring certification qualifications

The Legislature hereby declares that it is contrary to the interest of this state and of the people thereof for any governing board or any person charged by the governing board of any school district with the responsibility of interviewing and recommending persons for employment in positions requiring certification to fail or refuse to do so for reason of the age or marital status of any applicant for such employment, except as otherwise provided in this code. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1982, c. 466, p. 2019, § 36.)

§ 44859. Prohibition against certain rules and regulations re residency

No school district may adopt or maintain any rule or regulation which requires a candidate for a position requiring certification qualifications to be a resident of the district or to become a resident of the district, or which requires that an employee maintain residency within the district; nor may a district grant any preferential treatment to candidates or employees because they are residents of the district.

The Legislature in enacting this section recognizes that the public school system of this state is the property of all its citizens, and that all qualified candidates for positions of employment with school districts, regardless of residence, should be granted the opportunity to compete for and obtain such positions based solely on merit and fitness. (Stats.1976, c. 1010, § 2, operative April 30, 1977.)

§ 44860. Qualification for employment as principal

No person shall be employed as principal of a school of six or more certificated employees unless he or she holds a valid school administration credential and at least one of the following: a teaching credential, or a services credential with a specialization in pupil personnel, health, clinical or rehabilitative, or librarian services. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1990, c. 341 (A.B.2943), § 4.)

§ 44861. Employment of substitute principal

A substitute principal holding a valid teacher's credential of the same grade as the school to be administered may be employed without meeting the requirements of Section 44860 to meet an emergency for not more than five months of any school year. (Stats.1976, c. 1010, § 2, operative April 30, 1977.)

§ 44862. Required age for teaching

No person is eligible to teach in any public school in the state, or to receive a certificate to teach who has not attained the age of 18 years. (Stats.1976, c. 1010, § 2, operative April 30, 1977.)

§ 44863. Subjects authorized in special certificate

No teacher holding a special certificate shall be employed to teach any subject not authorized in the certificate. (Stats.1976, c. 1010, § 2, operative April 30, 1977.)

§ 44864. County wherein teacher in joint elementary district must hold certificate

Each teacher in a joint elementary district shall hold a valid certificate in the county in which the schoolhouse is located. (Stats.1976, c. 1010, § 2, operative April 30, 1977.)

§ 44865. Qualifications for home teachers and teachers in special classes and schools; consent to assignment

A valid teaching credential issued by the State Board of Education or the Commission for Teacher Preparation and Licensing, based on a bachelor's degree, student teaching, and special fitness to perform, shall be deemed qualifying for assign-

ment as a teacher in the following assignments, provided that the assignment of a teacher to a position for which qualifications are prescribed by this section shall be made only with the consent of the teacher:

- (a) Home teacher.
- (b) Classes organized primarily for adults.
- (c) Hospital classes.
- (d) Necessary small high schools.
- (e) Continuation schools.
- (f) Alternative schools.
- (g) Opportunity schools.
- (h) Juvenile court schools.
- (i) County community schools.
- (j) District community day schools. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1978, c. 924, p. 2894, § 1; Stats.1980, c. 260, p. 533, § 1; Stats.1981, c. 1021, p. 3932, § 1; Stats.1997, c. 825 (A.B.287), § 18, eff. Oct. 9, 1997.)

§ 44866. Qualifications of home instructor of physically handicapped pupils

The qualifications of a home instructor of physically handicapped pupils shall be a valid teaching credential or a credential authorizing the teaching of exceptional children in an area of specialized preparation issued by the State Board of Education, or the Commission for Teacher Preparation and Licensing. (Stats. 1976, c. 1010, § 2, operative April 30, 1977.)

§ 44867. Qualification of teachers in opportunity schools or classes

Except as provided in Section 44865, teachers in opportunity schools, classes, or programs shall have the same qualifications and shall be employed in the same manner as in other elementary and secondary schools of the school district in which the opportunity schools, classes, or programs are situated. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1980, c. 260, p. 533, § 2.)

§ 44868. Qualifications for employment as library media teacher

No person shall be employed as a library media teacher in any elementary or secondary school, unless he or she holds a valid credential of proper grade authorizing service as a library media teacher or a valid teaching credential issued by the Commission on Teacher Credentialing if he or she has completed the specialized area of librarianship. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1988, c. 180, § 3; Stats.1989, c. 1360, § 26.)

§ 44869. Library media teacher to rank as teacher

Any library media teacher when employed full time as a library media teacher or serving full time, partly as a library media teacher and partly as a teacher, shall rank as a teacher. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1988, c. 180, § 4.)

§ 44870. Qualifications for supervisors of teachers

No one shall be employed to supervise the work of teachers for more than half time during any school week unless he is the holder of a valid teacher's certificate authorizing him to teach in the schools and classes in which he is to supervise instruction and a valid supervision certificate. (Stats.1976, c. 1010, § 2, operative April 30, 1977.)

Exhibit G

Minimum Requirements for Teaching Credential

13132.5. The minimum requirements for the teaching credential also include the satisfactory completion of a unit requirement in health education, including, but not limited to, emphasis on the physiological and sociological effects of abuse of alcohol, narcotics, and drugs and of the use of tobacco.

This section shall not become operative until July 1, 1973, or at such earlier date as the Commission for Teacher Preparation and Licensing may determine pursuant to Section 93 of Chapter 557 of the Statutes of 1970, as amended.

(Added by Stats. 1972, Ch. 1255.)

Note: Stats. 1972, Ch. 1255, also contains the following provisions:

SEC. 28.5. This act shall be known and may be cited as the Campbell-Moretti-Deukmejian Drug Abuse Treatment Act.

Eminence Credential

13133. Upon the recommendation of the governing board of a school district, the commission may issue an eminence credential to any person who has achieved eminence in a field of endeavor commonly taught or service practiced in the public schools of California. This credential shall authorize teaching or the performance of services in the public schools in the subject or subject area or service and at the level or levels approved by the commission as designated on the credential.

Each credential so issued shall be issued for a one-year period and may be renewed for one-year periods by the commission upon the request of the governing board of the school district. Upon three renewals the holder of an eminence credential shall be eligible for a life credential, which may be issued by the commission.

(Added by Stats. 1970, Ch. 557.)

Assignment to Single Subject Class

13134. Until June 30, 1975, a teacher licensed pursuant to the provisions of this article may be assigned, with his consent, to teach any single subject class in which he has 18 semester hours of coursework or nine semester hours of upper division or graduate coursework or a multiple subject class if he holds at least 60 semester hours equally distributed among the four areas of a diversified major set forth in Section 13157.4. A three-semester-unit variance in any of the required four areas may be allowed. The governing board of the school district by resolution shall provide specific authorization for such assignment. The authorization of the governing board shall remain valid for one year and may be renewed annually.

(Amended by Stats. 1973, Ch. 489.)

Minimum Requirements for Specialist Instruction Credential

13135. The minimum requirements for specialist instruction credentials are:

- (a) A valid teaching credential; and
- (b) Such specialized and professional preparation as the commission may require and is required by other provisions of this code.

Exhibit H

(b) The minimum requirements for the clear designated subjects teaching credential for vocational education or adult education shall include study of computer-based technology, including the uses of technology in educational settings, and the minimum requirements for the special subjects credential may, at the discretion of the commission, include the study of computer-based technology, including the uses of technology in educational settings. (Added by Stats.1992, c. 1245 (S.B.1422), § 4.)

§ 44261. Multiple or single subject teaching credentials; minimum requirements

The minimum requirements for the multiple or single subject teaching credential with a designated emphasis shall be as specified in Section 44259. (Added by Stats.1992, c. 1245 (S.B.1422), § 6.)

§ 44261.2. Legislative findings and declarations

(a) The Legislature finds and declares the following:

(1) The role of parents and guardians in the education of pupils and the development of children and youth is critically important.

(2) Active partnerships among parents, guardians, and professional educators are essential features of effective education.

(3) Recent and anticipated changes in the conditions of childhood and adolescence, including, but not limited to, the changing family structure and ethnic and cultural diversity, make it more critical than before that partnerships among parents, guardians, and professional educators be effective.

It is the intent of the Legislature that prospective teachers and certificated educators acquire needed perspectives to serve as active partners with parents and guardians in the education of pupils.

(b) The commission shall adopt standards and requirements pursuant to paragraphs (3) and (4) of subdivision (b) of Section 44259, Section 44265, Sections 44266 to 44270.1, inclusive, and Section 44372 that emphasize the preparation of prospective teachers and other certificated educators to serve as active partners with parents and guardians in the education of pupils. The standards shall address, through appropriate instruction and field experiences, the roles of parents and guardians in the educational process, strategies for involving and working with parents and guardians, and the changing conditions of childhood and adolescence, including, but not limited to, the changing family structure and ethnic and cultural diversity.

(c) An institution meets the standards set forth in subdivision (b) with the incorporation of appropriate content within existing professional preparation courses.

(d) The implementation of subdivision (b) as it applies to paragraphs (3) and (4) of Section 44259 shall occur in conjunction with the review of requirements for earning and renewing multiple and single subject teaching credentials, as required by subdivisions (a) and (b) of Section 44259.2.

(e) The standards and requirements developed pursuant to subdivision (b) and the conditions described in subdivision (d) of this section shall not apply to any person holding a valid credential on December 31, 1993.

(f) The commission shall not, by regulation, revoke or restrict in any way a credential that was valid prior to the effective date of this section unless the commission issues the holder of the credential a valid substitute credential. The authorization of the substitute credential shall not be more restrictive than that of the former credential. The definition of the term "authorization," in subdivision (d) of Section 44203 of Article 1 of Chapter 2 of Part 25 of the Education Code, applies to this subdivision. (Added by Stats.1993, c. 767 (A.B.1264), § 1.)

§ 44262. Eminence credential

Upon the recommendation of the governing board of a school district, the commission may issue an eminence credential to any person who has achieved eminence in a field of endeavor taught or service practiced in the public schools of California. This credential shall authorize teaching or the performance of services in the public schools in the subject or subject area or service and at the level or levels approved by the commission as designated on the credential.

Each credential so issued shall be issued initially for a two-year period and may be renewed for a three-year period by the commission upon the request of the governing board of the school district. Upon completion of the three-year renewal period, the holder of an eminence credential shall be eligible upon application for a professional clear teaching credential. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1996, c. 1067 (S.B.1924), § 7.)

§ 44263. Assignment to single subject class

A teacher licensed pursuant to the provisions of this article may be assigned, with his or her consent, to teach any single subject class in which he or she has 18 semester hours of coursework or nine semester hours of upper division or graduate coursework or a multiple subject class if he or she holds at least 60 semester hours equally distributed among the four areas of a diversified major set forth in Section 44314. A three-semester-unit variance in any of the required four areas may be allowed. The governing board of the school district by resolution shall provide specific authorization for such assignment. The authorization of the governing board shall remain valid for one year and may be renewed annually. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1977, c. 36, § 188, eff. April 29, 1977, operative April 30, 1977.)

§ 44264. Assignment of holders of credentials authorizing teaching or administration in secondary schools to teach or provide administration for grades 5 and 6

Notwithstanding any other provision of law, a person holding a credential issued under the laws and regulations in effect on or before December 31, 1971, authorizing teaching in grades 7 to 12, inclusive, or grades 7 to 9, inclusive, in the secondary schools may be assigned, with his or her consent, to teach any subject authorized on his or her credential in grades 5 and 6 or grade 5 or grade 6 in a departmentalized program in a school composed of grades 5, 6, 7, and 8 or grades 6, 7, and 8.

Notwithstanding any other provision of law, a person holding a credential issued under the laws and regulations in effect on or before December 31, 1971, authorizing administration in grades 7 to 12, inclusive, in the secondary schools may be assigned, with his or her consent, to provide administration for grades 5 and 6 or grade 6, in a school composed of grades 5, 6, 7, and 8 or grades 6, 7, and 8. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1986, c. 171, § 2.)

§ 44265. Specialties; bilingual, early childhood, special education; regulations

Credentials for teaching specialties, including, but not limited to, bilingual education, early childhood education, and special education, shall be based upon a baccalaureate degree from an accredited institution, completion of a program of professional preparation, and any other standards which the commission may establish.

In adopting the necessary rules and regulations establishing the requirements for the preparation of special education specialties, the commission shall ensure that teachers have sufficient knowledge of subject matter that is the core of the California public school curriculum and experience with nonspecial education pupils to the extent deemed appropriate by the commission.

Exhibit I

vided in Section 13200.3, and on the condition that such person completes within five years either: (a) one year of postgraduate study, in courses selected by such person as he deems appropriate for his present or potential teaching assignments, or (b) a course of training and experience prescribed by and under the direction of the governing board of the employing district, to include at least in-service training, which course shall be designed to provide the equivalent in experience to such one year of postgraduate study. The governing board of the employing school district shall certify to the individual's successful completion of such training.

(Added by Stats. 1968, Ch. 1424. Effective until 61st day after final adjournment of 1972 Regular Session.)

Certification of Professional Ability

13200.3. A probationary credential issued pursuant to this article shall authorize the holder to teach in any school district which employs as a district superintendent, or as the chief administrative employee of the district, a person who is a holder of any valid standard or general administration credential.

Such district superintendent or chief administrative employee shall certify to the Superintendent of Public Instruction, at any time after one school year of full-time teaching but within two years of employment of a holder of a probationary credential, whether such holder possesses acceptable professional abilities as indicated by classroom performance. Upon an affirmative certification, the State Board of Education shall immediately issue such holder a credential upon the condition that such holder complete the additional work provided for in Section 13200.2 within five years. Upon a negative certification, the probationary credential shall expire immediately.

(Added by Stats. 1968, Ch. 1424. Effective until 61st day after final adjournment of 1972 Regular Session.)

Grade Level of Teaching

13200.4. The probationary credential shall authorize the holder to teach at the elementary or secondary level in the public schools; provided, that if certification pursuant to Section 13200.3 has been obtained at one level, within one year of employment of such holder at the other level, the district superintendent or chief administrative employee shall certify the professional abilities as required in Section 13200.3.

(Added by Stats. 1968, Ch. 1424. Effective until 61st day after final adjournment of 1972 Regular Session.)

Requirements by School District

13200.5. The school district employing a holder of a probationary credential may require either or both of the following:

(a) A demonstrated subject matter expertise as shown by the successful completion of an examination approved by the Commission for Teacher Preparation and Licensing.