



CTC Eliminates Emergency Permits in 2006

The California Commission on Teacher Credentialing (CTC) announced this afternoon that it will discontinue its current emergency permit process as of July 1, 2006. This decision impacts charter schools because California public school teachers of "core" subjects will no longer be able to teach with an emergency permit beginning on July 1, 2006. This mandate is in compliance with the federal No Child Left Behind Act (NCLB) definition of a "highly qualified" teacher, which states that teachers may not have certification or licensure requirements waived on "an emergency, temporary, or provisional basis" (Title IX, Sec. 9101(23)(a)(ii)).

The CTC's plan gives schools the flexibility to hire a teacher on an emergency permit throughout the 2005-2006 school year with the understanding that the teacher will have completed the credential requirements before July 1, 2006. Teachers currently holding an emergency permit may continue to teach under that permit until June 30, 2006, and may renew the permit until that deadline. In recognition that schools will periodically be faced with unanticipated shortages of teachers, the CTC will soon create an alternative provisional certification that will not conflict with federal regulations. However, the parameters for receiving such an alternative provisional certification will be more rigorous than the current emergency permitting process (i.e. according to CTC staff, the CTC's due diligence process for reviewing and approving requests for such alternative provisional certifications will likely require a greater showing of need than the currently required Declaration of Need).

Meanwhile, there continues to be lack of clarity for charter schools regarding the definition of a "core" teacher. Several state and local authorities believe charter schools must comply with the federal definition of the "core" subjects, an exhaustive list which includes such subjects as foreign languages, arts, and economics (Title IX, Sec. 9101(11)). Conversely, charter school advocates, many of whom met with representatives of the California Department of Education this past Wednesday, point to the NCLB provision (Title IX, Sec. 9101(23)(a)(ii)) which defers to the state charter law for addressing charter school teacher certification. Under California's charter law (Education Code section 47605(1)), charter schools enjoy flexibility in defining which teachers are "core" and hence need a certificate, versus those who are "noncore" and do not need to be credentialed. Unlike traditional public schools, teacher credentials in charter schools are monitored by their charter-granting agencies, not by the county.

Stay posted to CSDC's website at www.cacharterschools.org/whatsnew.html for updates as these challenging issues regarding charter schools and "highly qualified" teachers continue to unfold.

--Laurie Gardner and Gary Borden, Charter Schools Development Center