

Notice of Proposed Rulemaking: Title 5. Education, Division 8 Commission on Teacher Credentialing

Proposed Regulatory Amendments Pertaining to §80025.1. Emergency Career Substitute Teaching Permit and §80025.3. Day to Day Substitute Teaching

The Commission on Teacher Credentialing (Commission) proposes to take the regulatory action described below after considering all comments, objections, and recommendations regarding the proposed action. A copy of the proposed regulations is included with the added text underlined and the deleted text lined out.

The Commission has not scheduled a public hearing on this proposed action. However, the Commission will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days before the close of the comment period.

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed action by fax, through the mail, or by email. The written comment period closes on May 4, 2026. Comments must be received by that time or may be submitted at the public hearing, should one be requested. Interested parties may fax their response to (916) 327-3165; write to the Commission on Teacher Credentialing, Attn: Christina Villanueva, Commission on Teacher Credentialing, 651 Bannon Street, Suite 601, Sacramento, CA 95811; by phone at (916) 327-2967 or submit an email to Regulations@ctc.ca.gov. Alternatively contact Ann Harris at (916) 327-2967 or by email at Regulations@ctc.ca.gov

Any written comments received by the closing of the public comment period will be reproduced by the Commission's staff for each member of the Commission as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission.

Authority

Education Code sections 44225(d) and 44225(q) authorizes the Commission to adopt the proposed regulations and amendments.

Reference

Education Codes sections 44225(d) and (e), 44252(b), 44258.9, 44300.5, 44339, 44340 and 44341.

Information Digest/Policy Statement Overview

Summary of Existing Laws and Effect of the Proposed Action

California continues to experience shortages of fully credentialed teachers, with the extent of these shortages varying by region and credential area. These shortages have increased reliance on substitute educators to maintain classroom coverage during extended absences and vacancies, while a fully

credentialed teacher can be recruited. During the COVID-19 emergency, the state temporarily expanded substitute-teaching flexibility to address widespread staffing disruptions during a global public health crisis. The 2021 Education Omnibus Budget Trailer Bill (AB 167, 2021) authorized credentialed and permitted substitute teachers to serve for up to sixty cumulative instructional days in both general education and special education assignments through June 30, 2022, to address the crisis. In early 2022, Executive Order N-3-22 extended substitute service in general education classrooms to 120 days through March 31, 2022. As staffing challenges continued, subsequent legislation further extended the temporary sixty-day authorization. AB 181 (2022) continued the authorization through July 1, 2023, and SB 141 (2023) extended it again through July 1, 2024. These measures were limited to the COVID period and the immediate years that followed and were explicitly temporary. Additionally, statewide data indicate that California's academic recovery from pandemic-related disruptions remains fragile, with persistent gaps for high-need student groups and continued sensitivity to staffing instability. With the conclusion of the pandemic and the return to full in-person learning, the Legislature and Governor discontinued all emergency substitute extensions indefinitely and returned to pre-pandemic substitute service limits.

With the expiration of the extensions of COVID period flexibilities, Assembly Bill (AB) 1224, authored by Assemblymember Valencia, was introduced in 2025 to again authorize up to sixty cumulative instructional days of substitute service for individuals holding a Commission-issued substitute permit or credential authorizing day-to-day substitute teaching in both general and special education classrooms. Ultimately, the Governor declined to sign this bill and released a veto message directing the Commission to *“utilize its existing authority to engage stakeholders and expeditiously reexamine and amend its short-term staffing pathways to support continuity of instruction, and to address the minimum levels of preparation and support required.”*

During the December 2025 Commission meeting, Commission staff presented a set of recommendations developed through stakeholder engagement for the Commission to review (please see <https://meetings.ctc.ca.gov/Details/222> for full details). The recommendations addressed challenges in the assignment of substitute teachers. Initial conversations with human resources leaders, educator organizations, and a student-focused civil rights representative revealed several consistent themes based around how extended absences and vacancies affect school operations, instructional continuity, and student learning. It was found that the current assignment limits require rotation practices that undermine stability, while extended assignments require levels of preparation and support that the existing short-term structure does not provide.

California's short-term staffing system is built around a set of substitute and temporary teaching permits that were created at different times to address specific operational needs. Each authorization has its own purpose, day limits, preparation expectations, and renewal rules. Together they provide options for day-to-day substitute coverage and full-year emergency service, but they do not create a coherent pathway for vacancies or temporary leave assignments that extend beyond 30 days in general education. In analyzing the various teaching permits, Commission staff noted that the Emergency Career Substitute Permit offers a viable option for extended service in general education. For experienced substitutes, the Emergency Career Substitute Teaching Permit (5 CCR 80025.1) allows

the permit holder to serve as a day-to-day substitute for up to 60 days in a general education classroom.

There is a need for a statewide option that allows a single individual to remain with a general education classroom for a defined, limited period when a vacancy or extended leave occurs, without defaulting to rotation practices that disrupt routines and undermine continuity for students. Such an option must be time-limited and clearly temporary, preserving the expectation that fully credentialed teachers remain the long-term goal for every classroom.

Commission staff determined that there is a need to move toward the development of a mid-range staffing option that is limited in duration, structured in preparation and support, transparent in use, and aligned with statutory and instructional requirements.

Following discussion, the Commission directed staff to return with a refined proposal to support implementation of the recommendations presented in the item. The Commission's direction reflected its ongoing commitment to ensure that credentialing policies and requirements remain aligned with statutory authority and the needs of the educator workforce.

As directed by the Commission at the December 2025 meeting, staff undertook refinement of the supported recommendations and developed draft regulatory language reflecting the refined proposal for general education substitute assignments. This work included re-evaluation of stakeholder feedback and development of regulatory text for Commission consideration. Although Commission staff presented proposals regarding both general and special education assignments, due to the statutory limitations in Education Code 56061, Commission staff moved forward with focusing on a proposal to address only the general education assignments.

In February 2026, Commission staff presented the Commission with recommendations that reflected revisions that were made based on the range of concerns raised in December 2025, focusing on general education assignments. There was a broad consensus among education partners regarding expanding the 30-Day substitute teaching limitation for fully credentialed teachers and establishing an alternate pathway for the Emergency Career Substitute Teaching Permit. The proposed amendments represent the refined proposal in the form of draft regulatory language, providing specificity for assessment of the proposed standards, requirements, and expectations.

Anticipated Benefits of the Proposed Regulations

The proposed modifications amend the current regulations for the Emergency Career Substitute Teaching Permit (section 80025.1) to offer an additional route for issuance, and Day to Day Substitute Teaching (section 80025.3) for placement of a fully credentialed teacher as a substitute in a general education classroom.

Credentialed teachers are the individuals best prepared to maintain continuity when short-term limits are exceeded. They have completed a state-approved preparation program that includes supervised clinical practice and coursework in curriculum and instruction, pedagogy, human development,

literacy, and the needs of diverse learners. Expanding their substitute authorization provides a low-risk and high-stability option without compromising instructional quality.

The additional route to earn the Emergency Career Substitute Teaching Permit, which includes pre-service preparation and mentorship with school site-based certificated staff, will improve the welfare of California residents by ensuring educators have sufficient and appropriate preparation and support to sustain instructional continuity and uphold required services.

Determination of Inconsistency/Incompatibility with Existing State Regulations

The Commission has determined that the proposed regulation amendments are not inconsistent or incompatible with existing regulations. After conducting a review of any regulations that would relate to or affect this area, the Commission has concluded that these are the only regulations that concern the Emergency Career Substitute Teaching Permit.

Disclosures Regarding the Proposed Actions/Fiscal Impact

The Commission has made the following initial determinations.

Mandate on local agencies or school districts:

None

Fiscal Impact

Costs to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630:

None.

Cost or savings to any state agency:

None.

Other non-discretionary costs or savings imposed upon local agencies:

None.

Cost or savings in federal funding to the state:

None.

Significant effect on housing costs:

None

Significant Statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states:

None.

Cost Impacts on a Representative Private Person or Business:

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Statement of the Results of the Economic Impact Assessment

In accordance with Government Code section 11346.3(b), the Commission has made the following assessments regarding the proposed regulations:

The Commission concludes that it is unlikely that the proposal will (1) create or eliminate any jobs, (2) create any new businesses, or (3) eliminate any existing businesses or result in the expansion of businesses currently doing business within the state. The proposed amendments to Title 5 of the CCR reflect the Commission's ongoing commitment to ensure that credentialing policies and requirements remain aligned with statutory authority and needs of the educator workforce. Therefore, it will not eliminate jobs.

Benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment

As stated above under *Anticipated Benefits of the Proposed Regulations*, the proposed regulations will offer an additional route for issuance, and Day to Day Substitute Teaching (section 80025.3) for placement of a fully credentialed teacher as a substitute in a general education classroom and will improve the welfare of California residents by ensuring educators have sufficient and appropriate preparation and support to sustain instructional continuity and uphold required services.

The proposed regulations are not expected to affect the health of California residents, worker safety, or the state's environment.

Small Business Determination

The proposed regulations will not affect small businesses. These regulations establish procedures for educators seeking to obtain an Emergency Career Substitute Teaching Permit and Day to Day Substitute Teaching, not small businesses.

Consideration of Alternatives

In accordance with Government Code section 11346.5, subdivision (a)(13), the Commission must determine that no reasonable alternative it considered, or that has otherwise been identified and brought to its attention, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private person than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. While the Commission considered an expansion of service for special education classrooms as well, concern was raised regarding the legal feasibility of expansion of assignments for such classrooms. As such, the proposed amendments do not include special education classrooms.

The Commission invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

Contact Persons

Inquiries concerning the proposed rulemaking action may be directed to:

Christina Villanueva
Commission on Teacher Credentialing
651 Bannon Street, Suite 601,
Sacramento, CA 95811
(916) 327-2967
Email: Regulations@ctc.ca.gov

The backup for these inquiries is:

Ann Harris
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Availability of Statement of Reasons, Text of Proposed Regulations, and Rulemaking File

The Commission will make the entire rulemaking file available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice of Register, the rulemaking file consists of the Notice of Proposed Action, the proposed text of regulations, the Initial Statement of Reasons, Agenda items from Commission Meetings, and the Economic and Fiscal Impact Statement. Please direct requests to inspect or copy the rulemaking file to the contact person listed above, Christina Villanueva.

Availability of Changed or Modified Text

After considering all timely and relevant comments received, the Commission may adopt the proposed regulations substantially as described in this notice. If the Commission makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before adopting the regulations as revised. Please direct requests for copies of any modified regulations to the contact person listed above. If substantive modifications are made, the Commission will accept written comments on the modified regulations for the duration of the period of public availability.

Availability of Final Statement of Reasons

Upon its completion, the Commission will make copies of the Final Statement of Reasons available. Please direct requests for copies to the contact person listed above.

Availability of Documents on the Internet

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, the text of the regulations with modifications highlighted, as well as the Final Statement of Reasons, when completed, and modified text and notices thereof, if any, may be accessed via the Commission's website at <http://www.ctc.ca.gov/notices/rulemaking.html>.