15-Day Notice of Modifications and Supplemental Justification to Proposed Rulemaking: Title 5. Education, Division 8 Commission on Teacher Credentialing

Supplemental Justification and Modifications for Proposed Amendments to California Code of Regulations, Title 5, Pertaining to Educator Assignments and Monitoring

Notice is **Hereby Given**, pursuant to the requirements of Government Code §11346.8(c) and section 44 of Title 1 of the California Code of Regulations, that the Commission has proposed the following modifications to the text of the proposed regulations. Additionally, this notice contains supplemental justifications for the regulations. Any person who wishes to comment on the proposed modifications may do so by submitting written comments postmarked beginning November 6, 2026, and ending on November 23, 2026, to Christina Villanueva at Regulations@ctc.ca.gov.

A 45-day public comment period regarding these proposed regulations was opened on August 7, 2026. The Commission received two comments from the public. Commission staff responded to all public concerns and comments and determined that amendments would be made to the Educator Assignments and Monitoring proposed regulations.

Any written comments are to be restricted to the recent modifications to the enclosed language. The Commission is not required to respond to comments received in response to this notice on other aspects of the proposed regulations. All written comments received or postmarked by November 23, 2026, which pertain to the modified text of the proposed regulation provided in this notice will be reviewed and responded to by Commission staff as part of the compilation of the rulemaking file.

Summary of Modifications
Commission staff completed a review of the proposed amendments to §80130, §80132, §80133, and §80134 and determined that modifications to the text are required and are therefore listed below.

Necessity for Proposed Amendments to the Regulations Text
Staff recommend revisions to Section 80130, provided in the attached language.

- The language clarifies the definition of “fully credentialed teacher” by naming the Preliminary and Clear credentials and alters the definition of “assignment” to align with Education Code section 44258.9(b)(4) and reference the term “local assignment option” also defined in this section.
- The definitions for “vacant position” and “assigned teacher” are clarified to identify a “permanent” assigned teacher, to align with Education Code section 44258.9(b)(3).

- The definition of “Misassignment” is altered to substantially align with Education Code section 33126(b)(5).
- The definition of “Local Assignment Options” is revised to clarify that a fully credentialed educator is required to utilize such flexibility to teach outside of their subject matter area.

Staff recommend revisions to Section 80132, provided in the attached language.

- The language clarifies that the hierarchy of teacher shortage assignments provided in the section is for purposes of data collection and reporting, pursuant to Education Code section 44258.9.
- Section (b)(7) is altered and (b)(8) is added to clarify that unfilled positions and vacant positions are the most severe in relation to teacher shortage data.

Staff recommend revisions to Section 80133, provided in the attached language.

- Proposed language replaces “certifications” with “credentials” as the specific credential type is relevant related to the hiring hierarchy.
- To align with Section 44225.7, the revised language places holders of Preliminary or Clear credentials assigned based on local assignment option flexibility above an appropriately assigned Intern credential holder in the hiring hierarchy.
- Subsection (b) clarifies that a vacant position includes placement of an individual holding no commission issued certification document.

Staff recommend revisions to Section 80134, as provided in the attached language.

- Aligns the processes for reporting misassignments pursuant to Education Code section 44258.9 with the existing Williams complaint process pursuant to Education Code section 35186. The proposed language bridges misassignment complaint processes required in the two statutory sections, while clarifying the requirements and timelines for local educational agencies and the entities that oversee them.
- The addition of subsection (g) makes clear that a certificated educator who submits a complaint related to their own possible misassignment shall not be prevented from receiving their salary, pursuant to Education Code 44258.9(g)(5).

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by email relevant to the proposed action. The written comment period closes on November 23, 2026. Interested parties may fax their response to (916) 327-3165; write to the Commission on Teacher Credentialing, Attn: Christina Villanueva, 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 Mika Laidler-Rubio at (916) 327-8697 or by email at Regulations@ctc.ca.gov.

Contact Persons/Further Information

General or substantive inquiries concerning the proposed action may be directed to Christina Villanueva by telephone at 916-327-2967, by mail at Commission on Teacher Credentialing, 651 Bannon Street, Suite 601, Sacramento, CA 95811, or by email to Regulations@ctc.ca.gov. General question inquiries may also be directed to the addresses mentioned above. Upon request, a copy of the express terms of the proposed action and a copy of the Initial Statement of Reasons will be made available. This information is also available on the Commission's rulemaking website https://www.ctc.ca.gov/commission/notices/rulemaking/. In addition, all the information on which this proposal is based is available for inspection and copying and is also located on the Commission's website (October 22, 2026, Commission Meeting - Agenda Item 2C).

Availability of Documents on the Internet

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, the text of the regulations, the 45-Day Notice, and this 15-Day Notice can be accessed through the Commission's website listed above.