

# Agenda

California  
Commission on  
Teacher Credentialing

November 5-6, 1998  
Vizcaya Hotel • 2019 21st Street • Sacramento, CA

Some of the agenda items are available for viewing on the web.

Click on the  to view the items that are available.

## THURSDAY, November 5, 1998

### 1. General Session (Chair Ellner)

8:00 a.m.

- GS-1 Roll Call
- GS-2 Pledge of Allegiance
- GS-3 Approval of the October 1-2, 1998, Minutes
- GS-4 Approval of the November Agenda
- GS-5 Approval of the November Consent Calendar
- GS-6 Annual Calendar of Events
- GS-7 Chair's Report
- GS-8 Executive Director's Report
- GS-9 Report on Monthly State Board Meeting

### 2. Legislative Committee of the Whole (Vice Chair Norton)

-  LEG-1 Legislative Concepts for 1999

### 3. Fiscal Planning and Policy Committee of the Whole (Committee Chair Barker)

-  FPPC-1 First Quarter Report of Revenues and Expenditures for Fiscal Year 1998-99
-  FPPC-2 Update on Consolidation of Commission Offices

### 4. Credentials and Certificated Assignments Committee of the Whole (Committee Chair Katzman)

-  C&CA-1 Proposed Amendments to Title 5 §80499 Related to Adding Authorizations to an Existing Credential
-  C&CA-2 Proposed Amendments to Title 5 Regulations Related to Declarations of Need for Fully Qualified Educators
-  C&CA-3 A Report on Issues Related to the School Counseling Credential
-  C&CA-4 Proposed Plan to Implement Provisions of AB 544 Related to Teachers in Charter Schools
-  C&CA-5 Proposed Plan to Implement Provisions of AB 1620 Related to Experienced Teachers from Outside of California



CA-6 Teaching

5. The Role of Community Colleges in Teacher Preparation **1:30 p.m.**

6. Public Hearing **2:30 p.m.**



Proposed Addition of Section 80413.2 and Amendment of Section 80048.3 of Title 5, California Code of Regulations, Pertaining to the Implementation of the Credentialed Out-of-State Teacher Recruitment and Retention Act of 1997, AB 838 (Pacheco)

7. Preparation Standards Committee of the Whole (Committee Chair Sutro)



PREP-1 Recommended Procedures for Initial Accreditation of an Institution and A Request for Initial Institutional Accreditation From the Phillips Institute



PREP-2 Recommended Plan for an Accreditation Pilot Project Pursuant to Assembly Bill 2730 (Mazzoni)

8. Appeals and Waivers Committee (Committee Chair Smith)

A&W-1 Approval of the Minutes

A&W-2 Consideration of Credential Appeals

A&W-3 Reconsideration of Waiver Denials

A&W-4 Waivers: Consent Calendar

A&W-5 Waivers: Conditions Calendar

A&W-6 Waivers: Denials Calendar

**FRIDAY, November 6, 1998**

9. Closed Session - Closed (Chair Ellner) **8:00 a.m.**

(The Commission will meet in Closed Session pursuant to California Government Code Section 11126 as well as California Education Code Sections 44245 and 44248)

10. Performance Standards Committee of the Whole (Committee Chair Harvey)



PERF-1 Informal Study of the Impact of Proposition 227 on the Preparation of Future Teachers: Initial Report of Findings and Recommendations

11. Reconvene General Session (Chair Ellner)

GS-10 Report on the Appeals and Waivers Committee

GS-11 Closed Session Items

GS-12 Commissioners Reports

GS-13 Audience Presentations

GS-14 Old Business

•Quarterly Agenda for November, December 1998 & January 1999

GS-15 Nominations for the Commission Chair and Vice Chair 1999

GS-16 New Business

GS-17 Adjournment

Next Meeting  
December 3-4, 1998  
Hyatt Regency Hotel  
1209 L Street  
Sacramento, CA

---



[Back to the Top](#) |  
[Return to About CTC](#) |  
[Return to "Agenda  
Archives"](#) |





# California Commission on Teacher Credentialing

**Meeting of:** November 5-6, 1998

**Agenda Item Number:** LEG-1

**Committee:** Legislative

**Title:** Legislative Concepts for 1999

✓ Information/Action

**Prepared by:** Linda G. Bond, Director  
Office of Governmental Relations

---

## Legislative Committee Legislative Concepts for 1999 November 1998

**Summary:** This agenda item offers for Commission consideration legislative concepts for 1999.

**Policy Question:** Should the Commission sponsor one or more legislative measures in the 1999 year to address issues related to educator preparation, certification or discipline?

**Staff Recommendation:** Staff recommends that the Commission pursue the legislative concepts outlined in this agenda item.

**Background:** Each year the Commission considers whether to sponsor legislation to amend educator preparation, induction, assignment or discipline statutes to reflect new research or priorities. The Commission can seek to initiate new programs or requirements, redesign existing efforts, or "clean-up" existing statutes. The Commission-sponsored efforts in the legislative arena are complemented by Commission efforts with respect to the State Budget Bill to insure adequate resources for workload and programs.

**Fiscal Impact:** Each of the suggestions below is accompanied by a preliminary estimate of fiscal impact. Should the Commission vote to approve any or all of the concepts recommended, the Commission would be provided in January with actual bill language for each proposal approved.

### Assumptions Used in Developing the Proposed Legislative Concepts

In developing the concepts for Commission consideration, staff assumed the following:

1. In 1999 policy makers will expect the Commission to implement the major 1998 bills, SB 2042, the omnibus reform measure, AB 1620, the credentialing reciprocity bill, AB 496, the measure to recruit and prepare additional mathematics teachers, AB 2730, the accreditation pilot and the 1998-99 Budget Bill, which expands the Beginning Teacher Support and Assessment Program (BTSA), the Alternative Certification Program, and the Pre-Intern Teacher Preparation Program, and funds twenty-four new positions to handle the increased workload associated with Class Size Reduction. The Chairs of the Senate and Assembly Education Committees (Senator Alpert and Assembly Member Mazzoni), who co-authored the CCTC omnibus legislation, will want to "hold the line" against any substantial amendments to recently enacted laws governing educator preparation and licensing until there has been ample opportunity to implement the provisions of SB 2042.
2. Unlike in 1998, the 1999-2000 fiscal year will not be characterized by significant opportunities to expand existing programs or initiate new ones, mainly because projected increases have already been "earmarked" under the 1998-99 budget. This is particularly true for the CCTC Budget, which was developed as a two-year spending plan.
3. Since the Chairs of the Education Committees will not wish to entertain major efforts to modify recently enacted teacher preparation or licensing laws, much of the effort in 1999 with respect to the CCTC will be in the context of the Budget process, rather than the legislative process. Staff will pursue, through the Budget Process, all Budget Change Proposals approved by the Commission.
4. Policy makers will welcome technical clean-up measures to ensure that earlier statutes can be effectively implemented, as well as efforts to complement the work of the 1998 Session.

## Concepts for Commission Consideration

Staff suggests the following concepts for Commission consideration:

### 1. **Increase Funding for the Paraprofessional Teacher Training Program.**

In 1996 the Commission co-sponsored a California Statewide Task Force on Teacher Recruitment. The Task Force offered a comprehensive set of recommendations to address the teacher shortage in California, focusing on efforts to *Expand the Pool of Candidates*, *Strengthen the Pipeline into Teaching*, and *Remove Barriers to Education Recruitment, Preparation and Retention*. Virtually all the recommendations of the Task Force have been implemented. One major recommendation remains--to expand the Paraprofessional Teacher Training Program. The Commission has approved a BCP to double the size of the program, consistent with the mandates of current law. The Commission may want to employ a "two-pronged" approach to this effort, coupling the budget efforts with sponsored legislation. The Commission may want to note that staff is preparing to complete an evaluation of the Paraprofessional Program, as required by current law.

**Fiscal Impact:** Approximately \$1.5 million annually in General Fund expenditures for local assistance to participating school districts; no increase in state administrative costs.

### 2. **Modify the Cap on Per Intern Expenditures for the Alternative Certification Program.**

The cap on state funding per intern under the Alternative Certification Program has remained at \$1500 for several years. In analyzing California's teacher shortage, Dr. Linda Darling Hammond of Stanford concluded that \$1500 is not sufficient to provide quality for interns. The Commission may want to sponsor legislation to increase the cap to \$2500, in keeping with the current estimates of costs associated with a quality internship preparation program.

**Fiscal Impact:** Approximately \$7.3 million annually in General Fund expenditure for local assistance to participating school districts (\$1000 x 7300 interns); no increase in state administrative costs (administrative support was increased last year and the increase in local assistance funding would not necessitate additional work for Commission staff).

### 3. **Establish a More Appropriate Fee Level for the CBEST Examination.**

The fee for the CBEST examination (\$40) fee has not kept pace with inflation. Staff is concerned that, at the current fee level, contract revenues are insufficient to attract ANY qualified vendor bid when the current contract expires in two years. The CBEST has been a credentialing requirement since 1982. The fee for CBEST in 1982 and 1983 was \$30. Beginning in 1994, the fee was raised to the legal maximum of \$40, and has remained at that level for the past four years. It should be noted that the original CBEST law authorized the Commission to raise the CBEST fee to \$40 beginning with the 1984-85 fiscal year. Through its negotiations, the Commission was able to maintain the CBEST fee below the legal maximum until 1994, a decade after the date when an increase was allowed. When the Commission reopened the contract in 1996-97, only one vendor responded with a complete proposal. Staff was alerted at that time that this contract would be the last one for that vendor unless the fee cap was lifted. If one calculates the inflation rate at 2% per year, then the six years that have passed since the CBEST fee reached the 1984 authorized maximum of \$40 suggests a 12% increase in the fee cap (\$45) to account for inflation alone. The Commission may want to modify the statutory CBEST fee level to better reflect increases in administration costs. Unless the Commission wishes to seek legislation on a regular basis to modify a statutory cap, the CCTC may want to sponsor an amendment to current law to simply remove the specified dollar amount and permit the Commission to adopt a fee for this exam as the Commission does for all other exams (through a competitive bid process when the contract is reopened on June 30, 2001).

**Fiscal Impact:** Increased revenues for the Test Development and Administration Account, which would in turn be provided to the entity administering the exam pursuant to a contract negotiated by the Commission. Increased fees for teacher credential candidates. The alternative to altering the process for determining fees for CBEST is for the Commission to manage the examination itself. This would involve significant increases in the Commission's

permanent budget to account for the number of employees who would be needed to administer the largest single examination administered by the Commission. Such an endeavor would include hiring 5-10 new staff, significantly increasing the computer capacity of the Commission, leasing a new facility for the new staff, and incurring start-up costs .

4. **Modify the California Mathematics Initiative Statute to Provide for Administration of Loan Collections by the Student Aid Commission.** Governor Wilson signed AB 496 (Lempert) contingent upon a commitment by the author to carry clean-up legislation in 1999 to require the Student Aid Commission to administer the loan assumption program. The Commission may want to sponsor legislation that shifts loan collections under AB 496 to the Student Aid Commission.

**Fiscal Impact:** Decreased potential costs to the Commission in three or four years, due to the elimination of workload associated with loan collection.

5. **Provide for Technical Clean-Up of Statutes Governing**

- a. **Interstate Agreements.** *The Education Code now requires the Superintendent of Public Instruction to sign all interstate agreements, even those governing teacher certification. The Commission may want to sponsor legislation to make this section of the Code consistent with statutes giving the Commission authority over teacher preparation and certification.*

**Fiscal Impact:** No impact. Minor decrease in staff workload involved in securing the signature of the Superintendent.

- b. **RICA Exam Requirements.** *The Education Code now requires all candidates for a credential in special education to pass the Reading Instruction Competence Assessment (RICA), with the exception of those seeking a certificate to serve in preschool settings. To correct a drafting error in the 1998 law, the Commission may want to sponsor clean-up legislation to exempt candidates for special education credentials for service in preschool settings as well as special education certificates to serve in such settings.*

**Fiscal Impact:** Minor decrease in the number of RICA examinations administered each year; a negligible decrease in revenues received by the Test Development and Administration Account.

- c. **Demonstration of Computer Competency.** *Current law requires preliminary credential candidates to demonstrate competency in the use of technology, beginning January 1, 2000. To meet this requirement, candidates must successfully complete a course at a college or university. To provide an alternative for candidates, the Commission may want to sponsor legislation to create one or more assessment options for credential candidates. Such legislation, in particular, would assist in recruiting credentialed teachers from other states.*

**Fiscal Impact:** Staff believes that such an examination can be developed from existing assessments available through qualified vendors. Thus, the development costs will be minimal, and savings will result in lower examination fees to candidates. If the Commission were to adopt an existing examination, or to modify an existing examination slightly (to make the examination comport with the Commission's computer standards), the fiscal impact to the Commission would be minimal (primarily one-time panel costs related to evaluating and adopting an assessment). Costs to administer such an exam would be offset by a candidate fee. Candidates would save money as compared to costs they would incur in enrolling in college course work.

- d. **Eligibility to Serve As Supervisors/Program Directors of Child Development Programs.** *Some individuals have been working as Child Development Supervisors or Program Directors for several years under regulations governing this area. When the new child development permit structure went into place, the regulations inadvertently failed to "grandfather" these individuals into their existing assignments. The Commission may want to sponsor legislation to modify the Code to allow those individuals serving in child development administrative position prior to 2/1/97 to continue to serve as Site Supervisors or Program Directors.*

**Fiscal Impact:** No fiscal impact.

6. **Create a Pilot Program to Fund the Costs of Alternative Certification for Driver Training.** Current law (SB 1996, Dills--1995), sponsored by the Commission, authorizes the CCTC to develop alternative routes to the subject matter coursework requirements for the preliminary designated subjects credential in driver education and training. These alternatives involve school district and county office based preparation programs. School districts are no longer required to offer students courses in driver training, although some districts continue to provide this curriculum. The elimination of the driver training requirement resulted in the elimination of subject matter programs for the Driver Education Credential by teacher training institutions across California. The result is a shortage of qualified teachers to serve in districts that choose to offer driver training. Since June of 1994 the Commission has approved over 25 driver education and training waiver requests from districts that have had difficulty recruiting qualified teachers. It is difficult for teachers holding waivers to fulfill their commitments to acquire necessary training due to the lack of available courses at institutions of higher education.

During the past legislative session, SB 710 was introduced to appropriate \$125,000 from the Driver Training Penalty Assessment Fund to the Commission to be distributed to school districts maintaining one or more high schools for the purpose of funding model programs that offer subject matter coursework that is approved by the Commission. SB 710 was vetoed because the Governor felt the funding source was inappropriate. The Commission may want to sponsor a similar measure, but with a more appropriate funding source, such as the Teacher Credentials Fund or the General Fund.

**Fiscal Impact:** \$125,000 in local assistance, with a provision that up to five percent of this amount could be used by the Commission for administrative purposes. Staff estimates that this measure would involve approximately \$2600, in one-time costs to the Commission, to fund the costs of a three-member panel meeting for one day to review proposals submitted by school districts, mailing expenses to inform districts of the availability of funds, and Consultant time in convening the review panel. These costs would be covered by the administrative costs provision.

**7. *Strengthen and Clean-Up Statutes Governing Professional Discipline.*** Current law: (1) Does not allow the Commission to mandatorily revoke the credential of a holder who has been convicted of a violent or serious felony unless such person has also been denied employment as a result of such conviction(s). This represents a regrettable coupling of the Commission's disciplinary function with the employment decisions made by various districts whose employment practices may lack uniformity; (2) Treats credential holders of specified sex and drug offenses differently based solely upon the form in which such holders plead to the sex or drug offense as opposed to being based on differences in the underlying criminal conduct, viz., factually similar (or identical) cases receive dissimilar treatment for disciplinary purposes depending solely upon whether the holder pleads "guilty" or "no contest"; (3) Contains statutory inconsistencies as regards sex offenses committed by holders which trigger the mandatory suspension and/or revocation of their credential(s); (4) Omits certain internet-based sex crimes and sex crimes involving children from the list of specified mandatory revocation offenses. The Commission may want to sponsor legislation which addresses one or more of these inconsistencies and deficiencies.

***Fiscal Impact:*** Although the proposed statutory changes could result in a small reduction in the number of cases receiving discretionary review by Commission staff and the Committee of Credentials (and an even smaller reduction in the number of cases being forwarded to the Attorney General's Office for administrative hearing), the number of cases affected would represent a relatively minor change in the Commission's disciplinary caseload. Consequently, the anticipated fiscal impact (and impact on staff's workload) would be negligible.

**8. *Phase Out Credential Waivers and Emergency Permits As Capacity Within Institutions of Higher Education and Local Education Agencies Becomes Sufficient to Address the Teacher Shortage in California Schools.*** When Dr. Linda Darling-Hammond addressed the Commission early in 1998, she described successful efforts in Connecticut and New York City to eliminate the use of uncertified personnel in the K-12 schools. Essential to the successful efforts in these localities were several key elements. California has comprehensively addressed all of the elements except three: increasing capacity of institutions and entities to prepare teachers, increasing beginning teacher salaries, then "just saying No" to unqualified personnel. Staff is informed that legislation will be introduced again next year to address beginning teacher salaries. The Commission may want to sponsor legislation to tighten policies governing the use of emergency permits to specify that permits will be issued only when a local education agency recruits for a fully qualified individual AND demonstrates that there is insufficient capacity within conventional and alternative preparation programs locally to place an intern (rather than an emergency permit holder) in the classroom.

***Fiscal Impact:*** Negligible fiscal impact resulting from changes in forms and procedures. Considerable future loss of ongoing revenue if all emergency permits and waivers are converted to two-year internship permits.



[Back to the Top](#) |

[Back to November 1998 Agenda](#) |

[Back to Agenda Archives](#) |

[Return to About CTC](#) |





# California Commission on Teacher Credentialing

**Meeting of:** November 5-6, 1998

**Agenda Item Number:** FPPC-1

**Committee:** Fiscal Planning and Policy

**Title:** First Quarter Report of Revenues and Expenditures for Fiscal Year 1998-99

✓ Information

**Prepared by:** John Walstrom  
Analyst

---

## BACKGROUND

As previously scheduled in the Commission's quarterly calendar, staff is presenting the Commission's revenue and expenditure data for the first quarter of the current fiscal year.

## FISCAL IMPACT ANALYSIS

The activities associated with the preparation and presentation of this item are included in the baseline budget for the Fiscal and Business Services Section. Therefore, no funding augmentation is needed for this item.

## SUMMARY

Enclosed are two tables that depict the Commission's expenditures and revenues for the first quarter of fiscal year 1998-99. To aid in understanding what the various totals mean, Commission staff has compiled the following explanatory notes:

### Expenditures

- Most of the annual projections are based on an expected continuation of the first quarter financial trends.
- The "Total Expenditures" column includes actual expenditures plus encumbrances (expenses that the Commission has obligated itself to incur at a future date). Of the \$5.9 million in encumbrances through September 30, 1998, \$5.7 million are anticipated expenses related to examination contracts.
- "Personal Services" costs reflect relatively high amounts of salary savings for new positions that were not established until late August 1998.

### Revenue

- Staff projected a four percent increase in revenue for the 1998-99 fiscal year. As of the end of September 1998, Teacher Credentials Fund revenue was being received at a rate of eleven percent over the same period last year, or seven percent more than what was projected. Teacher Credentials Fund revenue traditionally is received in higher amounts between July and November of each year and it then drops off until the following May.
- Examination revenue in the Test Development and Administration Account is received sporadically throughout the year and generally within four to six weeks after each examination administration. Therefore, having collected only nine percent of the projected annual revenue is not unusual at this time of year.

**Table 1****California Commission on Teacher Credentialing  
First Quarter Expenditures for Fiscal Year 1998/99**

For the Quarter Ending September 30, 1998	Total Agency Budget	Total Expenditures To Date	Percent Expended	Available Balance	1998-99 Projections
PERSONAL SERVICES	9,290,346	1,900,547	20.46%	7,389,799	7,602,188
OPERATING EXPENSES & EQUIPMENT	16,630,615	6,664,455	40.07%	9,966,160	14,236,045
<b>Total Program Costs</b>	<b>\$25,920,961</b>	<b>\$8,565,002</b>	<b>33.04%</b>	<b>\$17,355,959</b>	<b>\$21,838,233</b>

**Table 2****California Commission on Teacher Credentialing  
First Quarter Revenue Fiscal Year 1998/99**

For the Quarter Ending September 30, 1998	Annual Projection	Revenue Received to Date	Percent of Projection
TEACHER CREDENTIALS FUND (407)	\$16,376,000	\$4,857,467	29.7%
TEST DEVELOPMENT AND ADMINISTRATION ACCOUNT (408)	\$8,477,000	\$753,907	8.9%
<b>Grand Total</b>	<b>\$24,853,000</b>	<b>\$5,611,375</b>	<b>22.6%</b>

[Back to the Top](#) |[Back to](#)[November 1998 Agenda](#) |[Back to Agenda Archives](#) |[Return to About CTC](#) |



# California Commission on Teacher Credentialing

**Meeting of:** November 5-6, 1998

**Agenda Item Number:** FPPC-2

**Committee:** Fiscal Planning and Policy

**Title:** Update on Consolidation of Commission Offices

✓ Information

**Prepared by:** LeMardeio Morris  
Analyst

## BACKGROUND

At the October 1998 meeting of the Fiscal Planning and Policy Committee of the Whole, Commissioners were provided with information regarding the status of the effort to consolidate and relocate the Commission's offices.

## FISCAL IMPACT ANALYSIS

The activities associated with the preparation and presentation of this item are included in the baseline budget for the Fiscal and Business Services Section. Therefore, no funding augmentation is needed for this item.

## SUMMARY

Staff has toured the 1900 Capitol Avenue facility frequently and has observed that substantial progress has been made on the renovation of the building. It now appears that the modular furniture installation effort will not be completed until November 9, 1998. As a result, our move will not likely commence until the latter part of the week of November 9, 1998.

Commission meeting room furniture has been ordered from the selected vendor and is scheduled for delivery prior to the January Commission meeting.

Commission staff representing all divisions, offices, and sections have met several times with the moving vendor to discuss various issues concerning packing moving, and unpacking activities.

A more detailed *REVISED* PROJECT SCHEDULE ESTIMATE is attached for your information and convenience. Staff will continue to provide this type of information to all Commissioners through the completion of this project.

	<b>Milestones</b>	<b>CCTC Hours</b>	<b>Target Date</b>	<b>Actual Date</b>	<b>Comments</b>
<b>Phase 1</b>	<b>PRELIMINARY WORK-CCTC</b>	240	7/1/96	3/1/96	Preparation of 4083s (Questionnaire and Needs Assessment)
T1	Project Started (Assigned to DGS)	N/A	1/8/97	1/22/97	Delay due to holiday schedule
T4	Project Schedule Complete	16	10/23/97	10/23/97	
T2	Program Completed by DGS		1/6/97	4/4/97	
T3	Form 10 Filed	80	1/7/97	7/7/97	1/7/97; 1st revision; Final revision 7/7/97
<b>Phase 2</b>	<b>SITE SELECTION (Advertisement)</b>	80	7/28/97	7/28/97	

T5	Site Search Completed	16	8/20/ 97	8/20/ 97	
<b>Phase 3</b>	<b>PLANNING</b>				
T6	Meeting with Space Planner	14	10/ 23/97	10/ 23/97	
	Conducted Initial Meeting with Staff Reps.	28	10/ 31/97	10/ 31/97	
	Review 1st Draft (Senior Staff)	10	11/ 12/97	11/ 12/97	
	Review 1st Draft (Staff Reps. and Space Planner)	28	11/ 14/97	11/ 14/97	
	Review 2nd Draft of Building Diagram (Senior Staff)	20	11/ 26/97	12/ 10/97	
	Review 2nd Draft of Building Diagram (Staff Reps)	60	12/1/ 97	12/ 10/97	
	Review Options for Comm. Mtg. Rm (Ad Hoc Committee)	8	12/5/ 97	12/5/ 97	
	Prepare 3rd Draft of Building Diagram (Space Planner)	16	12/ 12/97	12/ 11/97	
	Review 3rd Draft (Staff Reps)	14	12/ 15/97	12/ 17/97	
	Review 3rd Draft (Senior Staff)	5	12/ 22/97	12/ 17/97	
	Review Final Rough Draft (Ad Hoc Committee)	8	12/ 29/97	12/ 29/97	
	Review Final Rough Draft (Staff Reps)	14	1/5/98	1/21/ 98	
	Review Final Rough Draft (Senior Staff)	5	1/5/98	1/21/ 98	
	Plan Approval (Senior Staff)	5	1/5/98	1/21/ 98	
	CCTC Recommended Requirements to DGS	8	2/11/ 98	2/11/ 98	
	Preliminary Review of Recommended Requirements (DGS)	4	2/18/ 98	2/18/ 98	
	Preliminary Review of Recommended Requirements (Owner)	4	2/18/ 98	2/18/ 98	
	Plan Approval (DGS) (CCTC) (Owner)	4	3/2/98	4/6/98	
	Modular Furniture Design (CCTC) to DGS	40	4/6/98	4/6/98	
	Modular Furniture Designs to PIA		5/4/98	8/12/ 98	
	Modular Furniture Designs Returned to DGS		6/24/ 98	8/19/ 98	
	Modular Furniture Designs Returned to CCTC		6/26/ 98	8/19/ 98	
	Designs Including Revisions to DGS	20	5/11/ 98	8/21/ 98	Revised target date - 8/21/98
	Designs Including Revisions from DGS to PIA		7/1/98	8/24/ 98	
	Final Approval of PIA Drawings Via DGS	8	5/25/ 98	8/24/ 98	Revised target date - 8/24/98
	Purchase Order for Modular Furniture	2	6/8/98	8/26/ 98	

	Delivery of Modular Furniture		8/3/98		Revised target date - 10/19/98
	Installation of Modular Furniture	80	8/10/98		Revised target date - 11/9/98
<b>Phase 4</b>	<b>NEGOTIATIONS/BID</b>				
T7	Lease Execution		4/13/98	7/8/98	
	Approval of Exhibit "A:	32	5/26/98	7/8/98	
	Completion of Form 6	4	5/29/98	7/8/98	
<b>Phase 5</b>	<b>CONSTRUCTION/NOTIFICATION</b>				
T8	Pre-construction Meeting (Owner)		4/13/98	7/15/98	
	Construction to Begin (Owner)		5/1/98	9/8/98	
	Notice of Written Cancellation				
	1100 J Street (DGS)		5/31/98	7/9/98	90 day written notice
	1812 9th Street (DGS)		7/31/98	7/14/98	60 day written notice
<b>Phase 6</b>	<b>OCCUPANCY</b>				
T9	Phase 1 (CCTC-DPP)	320	9/1/98		1100 J Street - Revised target date 11/16/98
	Phase 2 (CCTC - All Other Divisions)	720	10/1/98		1812 9th Street - Revised target date 11/16/98
	Acceptance (CCTC)	8	9/1/98		1900 Capitol Avenue - Revised target date 11/16/98
T10	Project Close Out (CCTC & DGS)	8	12/1/98		
	<b>Totals</b>	1,929			



# California Commission on Teacher Credentialing

**Meeting of:** November 5-6, 1998

**Agenda Item Number:** C&CA-1

**Committee:** Credentials and Certificated Assignments

**Title:** Proposed Amendments to Title 5 Regulation, §80499, Pertaining to Adding an Authorization to a Teaching Credential

✓ Action

**Prepared by:** Yvonne Novelli,  
Program Analyst

---

**Proposed Amendments  
to Title 5 Regulation, §80499  
Pertaining to Adding an Authorization to a  
Teaching Credential**

**October 15, 1998**

## Summary

The following proposes to amend Title 5 Regulation §80499 related to adding an authorization to a teaching credential. These amendments add relevant pedagogical requirements for those obtaining a different level teaching credential.

## Fiscal Impact Statement

There will be a minor short term cost to the agency related to holding a public hearing if the recommendation is adopted. The Commission currently receives approximately 1500 applications for the added authorizations each year. Because of the proposed new requirements, there might be a slight reduction in applications for these credentials.

Individuals seeking a credential at a different level will incur the following increased costs if the proposal is implemented.

## Varying Cost of Credentials Sought (September 1998)

---

<b>Requirements</b>	<b>Multiple Subject (least expensive)</b>	<b>Multiple Subject (most expensive)</b>	<b>Single Subject (least expensive)</b>	<b>Single Subject (most expensive)</b>
<i>Current Costs</i>	<i>\$250</i>	<i>\$250</i>	<i>\$180</i>	<i>\$350</i>
<b>Application fee</b>	<b>\$60</b>	<b>\$60</b>	<b>\$60</b>	<b>\$60</b>
<b>Methodology Course</b>	<b>\$315</b>	<b>\$1650</b>	<b>\$345</b>	<b>\$1650</b>
<b>Reading Course/RICA</b>	<b>\$178 (RICA)</b>	<b>\$2160 (course)</b>		
<b>Subject Matter Exam</b>	<b>\$190</b>	<b>\$190</b>	<b>\$120</b>	<b>\$290</b>
<b>Total of Proposed Costs</b>	<b>\$743</b>	<b>\$4060</b>	<b>\$525</b>	<b>\$2000</b>

### **Policy Issues to Be Resolved**

Shall the Commission require a Multiple or Single Subject Teaching Credential holder to complete relevant pedagogical training before obtaining an added teaching authorization at a new level?

### **Staff Recommendation**

Staff recommends that the Commission approve the following amendments to Title 5 Regulation, §80499, for the purposes of beginning the rulemaking file for submission to the Office of Administrative Law and the scheduling of a public hearing.

### **Background**

Title 5, §80499, currently allows an individual who is eligible for a teaching credential based on a baccalaureate degree and a professional teacher preparation program including student teaching to obtain a Multiple or Single Subject Teaching Credential, in most cases, by verifying only subject matter competency. This does not require any additional pedagogical training when obtaining an authorization at a new level, such as a Single Subject Credential holder obtaining the Multiple Subject Credential.

Education Code §44225(e) requires the Commission to exempt holders of General and Standard (pre-Ryan) teaching credentials from numerous credential requirements, including pedagogical training, when obtaining added authorizations. For this reason, the proposal does not affect holders of these credentials.

This general proposal, to require pedagogical training when adding a teaching authorization at a new level, was presented at the October 1998 Commission meeting as an information item. One issue revised during the Commission discussion pertained to the "English language skills for the beginning learner" competency required for those seeking the Multiple Subject Credential. This revision to the proposed requirements would allow individuals to use the passage of the Reading Instruction Competence Assessment (RICA) at the level required for the Multiple Subject Teaching Credential as an option to the English language skills course.

### **The Importance of Reading and Content Pedagogy for those Seeking Supplementary Authorizations**

The importance of the ability to teach reading is essential at all grade levels. Similarly, the ability to translate knowledge of a subject area into content that is understandable and developmentally appropriate is critical for teachers at all grade levels. Teachers who are initially prepared to instruct primarily secondary or primarily elementary students need to have developmentally appropriate instruction in those grade levels they wish to add to their teaching authorization.

The work of Adams (1990), Honig (1996), Liberman et al (1991), Lyon (1994), and Moats (1994), and the California Reading Task Force (1995), all show the importance of focused, specific, developmentally appropriate instruction in the teaching of reading. Although there are some common elements of instruction for all teachers of reading, there are differences in the necessary knowledge especially for those who teach reading in early grades (Kindergarten through Grade 3). Those who teach reading in middle and secondary classes need to possess knowledge of specific remedial strategies. This distinction is also illustrated in the 1998 Reading/Language Arts Curriculum Framework.

The work of Ball and Wilson (1990), is one example of a study that demonstrates both knowledge of subject matter and the

knowledge of how to teach are equally important. Many of us have experienced teachers (frequently in college) who seemed to have a vast knowledge of their subject, but had little notion of how to make that knowledge understandable to those students in their classroom. The ability to break down a subject into its component parts, to provide illustrations and examples, to attach what is being learned to what a student already knows are essential to the art and skill of teaching. Knowledge of content alone does not provide these skills. Courses in pedagogy are designed to provide these kinds of skills. It is important that when a teacher chooses to teach content knowledge to students at a different grade level than their current credential authorization that they have developmentally appropriate pedagogical instruction in that subject.

### **Proposed Amendments to §80499**

In general, the proposed regulations would require holders of the Multiple Subject Credential, who wish to obtain a Single Subject Credential, to complete a "departmentalized" methodology course in addition to the specialty area subject matter competency. It would also require holders of the Single Subject Credential, who seek a Multiple Subject Credential, to complete the liberal studies subject matter competency plus a course in "self-contained" methodology and either a course in English language skills for the beginning learner or the RICA at the level required for the Multiple Subject Teaching Credential. The following is a more detailed review of the proposed amendments, listed by credential type. The issues of allowing passage of the RICA as an option to a course and of "eligibility" as opposed to holding a valid credential are also discussed. A copy of the proposed regulations is attached.

#### **Adding an Authorization to a Clear, Life or Professional Clear Multiple or Single Subject Credential**

Currently, these credential holders only need to satisfy the subject matter competency requirement to obtain an added authorization. Under this proposal, holders of a Multiple Subject Credential who wish to obtain a Single Subject Credential would also be required to complete a three-semester unit course in methodology directly related to teaching in a departmentalized setting. Holders of the Single Subject Credential would need to satisfy liberal studies subject matter competency and, additionally, 1) a three-semester unit course in methodology directly related to teaching in a self-contained setting and 2) a course or assessment (RICA) covering the development of English language skills for the beginning learner including reading to obtain a Multiple Subject Credential. Because holders of Single Subject Credentials previously completed departmentalized-setting methodology, they may continue to add authorizations to their Single Subject Credential by satisfying only the subject matter competency requirement in the new single subject area. The following chart lists the current and proposed requirements.

#### **ADDING TO A CLEAR, LIFE OR PROFESSIONAL CLEAR CREDENTIAL**

<b>Clear, Life or Professional Clear Credential Held</b>	<b>Requirement(s) (Both proposed* and current)</b>	<b>Clear or Professional Clear Credential Sought</b>
<b>Multiple Subject</b>	<ol style="list-style-type: none"> <li>1) specialty area subject matter competency</li> <li>2)* departmentalized methodology course</li> </ol>	<b>Single Subject</b>
<b>Single Subject</b>	<ol style="list-style-type: none"> <li>1) liberal studies subject matter competency</li> <li>2)* self-contained methodology course</li> <li>3)* English language skills for beginning readers course or the RICA</li> </ol>	<b>Multiple Subject</b>
<b>Single Subject</b>	<ol style="list-style-type: none"> <li>1) new specialty area subject matter competency</li> </ol>	<b>Single Subject</b>

#### **Adding an Authorization to a Preliminary Multiple or Single Subject Credential**

The proposal would similarly affect holders of preliminary Multiple or Single Subject Credential who wish to add an authorization at a new level. Currently, preliminary credential holders need to satisfy 1) the subject matter competency in the

new area, 2) English language skills including reading, and 3) the United States Constitution requirements to obtain a new authorization. This proposal would also require the completion of a three-semester unit course in methodology directly related to teaching in a departmentalized setting for Multiple Subject holders to qualify for Single Subject Credentials. To obtain the Multiple Subject Credential, holders of Single Subject Credentials would continue to verify liberal studies subject matter competency and knowledge of the United States Constitution. They would also need to verify both a three-semester unit course in methodology directly related to teaching in a self-contained setting and a course or assessment (RICA) covering the development of English language skills specifically for the *beginning learner* including reading.

The proposed regulations also clarify that individuals who hold two-year preliminary Single Subject Credentials will have the option of adding the new specialty area to the two-year Single Subject Credential even if they have not had time to complete any other renewal requirement for the three-year extension. They will also have the option of adding the new subject when they renew their two-year preliminary Single Subject Credentials or after. The previous wording did not allow this flexibility for trained departmentalized teachers.

#### Reading Instruction Competence Assessment (RICA) Option

For those seeking the Multiple Subject Credential, the proposed regulations allow two options for the "English language skills for the beginning learner" competency requirement. These are either 1) a course covering these English language skills or 2) the passage of the RICA at the level required for the Multiple Subject Teaching Credential. The Commission has worked hard to align the RICA content specifications with the reading course content requirement. Education Code §44283 requires the RICA "to measure an individual's knowledge, skill, and ability relative to effective reading instruction." It also requires that the competencies found in the RICA are part of the English language skills coursework content for the Multiple Subject Teaching Credential. The research regarding this comparison was presented to the Commission in the Fall of 1997 within Program Certification Handbook for Elementary Reading Instruction: Resource Guide for Multiple Subject Credential Program Coordinators, Faculty and Reviewers.

#### Remove the "Academically Eligible for the Credential" Option

Currently, to add an authorization, the individual may either possess *or be academically eligible* for the appropriate basic teaching credential. This allows an individual who qualifies for the Multiple Subject Credential to acquire the Single Subject Credential without obtaining the Multiple Subject, thereby saving the application fee. If this practice remains in place, then an elementary out-of-state trained teacher could obtain the Single Subject Credential and then qualify for the five-year preliminary Multiple Subject Credential without ever passing the Reading Instruction Competence Assessment (RICA) examination. This omission would be allowed because Education Code §44283, which governs the RICA requirement, does not require this examination if an individual already holds a valid California credential. To ensure that all individuals who need RICA are required to pass it, the proposed amendments remove the "eligibility" option.

#### Availability of Coursework

To determine the availability and cost of these proposed amendments, a survey was distributed to all institutions of higher education that have approved programs for the Multiple and/or Single Subject Teaching Credentials and their extension divisions. In the survey, the institutions were asked if they offer courses to candidates who are not enrolled in their credential program and, if not, would they be willing to offer them if the proposed regulations were approved. If the courses were available to non-enrolled students, the institutions were asked to indicate the available sessions, locations, and tuition. Of the 56 institutions that replied, 10 were California State Universities, 3 were California State University extensions, 7 were Universities of California, 3 were University of California extensions, and the remaining 33 were from private institutions. The following is the results of this survey, based on 1998-1999 information.

- 28 offer courses to candidates who are not enrolled in their credential program
- 16 currently do not offer the courses to non-enrolled students but would be willing to do so if the regulations are approved.
- 12 would not be able to offer the courses to non-enrolled students.

The following three items include information from 27 of the 28 institutions that currently offer courses to non-enrolled students and 8 of the institutions that would be willing to offer them if the proposed regulations were approved.

- The 35 institutions that offer or may offer "self-contained" methodology courses indicated the following sessions and campuses. One institution indicated that they also offer the course on-line. Additionally, the range of tuition expense for the 3-semester or 4-quarter unit course is listed.

33 Fall	23 Summer	
9 Winter	31 Late Afternoon/Evenings	
31 Spring	10 Weekends	1 On-line
18 home campus only	17 satellite and home campuses	
\$315-\$1650 tuition		

- The 36 institutions that offer or may offer approved courses in English language skills for beginning readers indicated the following sessions and campuses. Also noted is the range of tuition expense for the course.

31 Fall                      20 Summer  
 6 Winter                    32 Late Afternoon/Evenings  
 28 Spring                    8 Weekends  
 19 home campus only 17 satellite and home campuses  
 \$285-\$2160 tuition

- The 21 institutions that offer or may offer "departmentalized" methodology courses indicated the following sessions and campuses. Also noted is the range of tuition expense for the 3-semester or 4-quarter unit course.

19 Fall                      8 Summer  
 5 Winter                    18 Late Afternoon/Evenings  
 20 Spring                    1 Weekends  
 17 home campus only 4 satellite and home campuses  
 \$345-\$1650 tuition

In addition to the home campuses, the survey indicated that the courses were offered in numerous sites throughout the more populated areas of California. These included Bakersfield, Cupertino, Encino, Irvine, La Jolla, Los Angeles, Newhall, Pasadena, Riverside, Sacramento, San Diego County, San Jose, Solano County, Stockton, Ukiah, Ventura, Visalia, and Woodland Hills. Also mentioned were locations on-line and at 41 satellite campuses in northern California.

**Division VIII of Title 5  
 California Code of Regulations**

**Section 80499  
 Pertaining to Requirements for Adding an  
 Authorization to a Credential**

**Section 80499. Requirements for Adding an an Authorization to a an Existing Credential.**

- (a) A qualified applicant who holds a teaching credential as described in (b) and desires an additional authorization may apply for the authorization by recommendation of an institution approved by the Commission to recommend for the authorization, or may apply directly to the Commission pursuant to (c), (d), (e) or (f) below.
- (b) The following definitions apply only to §80499. A "qualified applicant" is defined as a holder of a valid credential that meets the definition of a "basic teaching credential" pursuant to Education Code §44203(e)(1) only. The "holder of a valid credential" is defined as an individual who ~~either possesses or is academically eligible for~~ the appropriate, valid basic teaching credential.
- (c) A qualified applicant holding a valid clear, life or professional clear Multiple or Single Subject Teaching Credential may obtain ~~a multiple or single subject teaching~~ an additional authorization when the holder has verified either (1), (2), or (3) below.
  - (1) The holder of a Multiple Subject Teaching Credential may obtain a Single Subject Teaching Credential by verifying both of the following requirements:
    - (A) subject matter knowledge in the requested area by completion of either the appropriate subject-matter examination(s) adopted by the Commission, or a Commission-approved subject-matter program, and
    - (B) a three-semester or four-quarter unit course in subject matter pedagogy directly related to teaching in a departmentalized setting and appropriate to Single Subject Teaching Credential.
  - (2) The holder of a Single Subject Teaching Credential may obtain a Multiple Subject Teaching Credential by verifying all of the following requirements:

- (A) subject matter knowledge in the requested area by completion of either the appropriate subject-matter examination(s) adopted by the Commission, or a Commission-approved subject-matter program,
  - (B) a three-semester or four-quarter unit course in subject matter pedagogy directly related to teaching in a self-contained setting and appropriate to Multiple Subject Teaching Credential, and
  - (C) study of alternative methods of developing English language skills as described in Education Code Sections 44259(b)(4) and 44283. This requirement may be satisfied by either completion of coursework or by passage of the Reading Instruction Competence Assessment (RICA) at the level required for the Multiple Subject Teaching Credential.
- (3) The holder of a Single Subject Teaching Credential may obtain a Single Subject Teaching Credential in an added authorization by verifying the following requirement:
- (A) subject matter knowledge in the requested area by completion of either the appropriate subject-matter examination(s) adopted by the Commission, or a Commission-approved subject-matter program.
- (4) The applicant will be granted a clear multiple or single subject teaching authorization if the credential held is a clear or life. The applicant will be granted a professional clear multiple or single subject teaching authorization if the credential held is a professional clear.
- (d) A qualified applicant holding a valid preliminary Multiple or Single Subject Teaching Credential may obtain a preliminary multiple or single subject teaching authorization when the holder has verified successful completion of (1), (2), and (3) below:
- (1) The holder of a Multiple Subject Teaching Credential may obtain a Single Subject Teaching Credential by verifying all of the following requirements:
- (A) Subject matter knowledge in the requested area by completion of either the appropriate subject-matter examination(s) adopted by the Commission, or a Commission-approved subject-matter program.
  - (B) a three-semester or four-quarter unit course in subject matter pedagogy directly related to teaching in a departmentalized setting and appropriate to Single Subject Teaching Credential,
  - ~~(2)(C) Study of alternative methods of developing English language skills, as described in Education Code Section 44259(b)(4), and including reading, among all pupils, including those for whom English is a second language, in accordance with the commission's standards of program quality and effectiveness. A program for the multiple-subjects credential also shall include the study of integrated methods of teaching language arts. If the applicant has previously verified the knowledge of teaching reading to obtain a Multiple Subject Teaching Credential, then they have satisfied this requirement.~~
  - ~~(3)(D) Demonstration of a knowledge of the principles and provisions of the Constitution of the United States pursuant to Education Code Section 44335.~~
- (2) The holder of a Single Subject Teaching Credential may obtain a Multiple Subject Teaching Credential by verifying all of the following requirements:
- (A) subject matter knowledge in the requested area by completion of either the appropriate subject-matter examination(s) adopted by the Commission, or a Commission-approved subject-matter program,
  - (B) a three-semester or four-quarter unit course in subject matter pedagogy directly related to teaching in a self-contained setting and appropriate to Multiple Subject Teaching Credential,
  - (C) study of alternative methods of developing English language skills as described in Education Code Sections 44259(b)(4) and 44283. This requirement may be satisfied by either completion of coursework or by passage of the RICA at the level required for the Multiple Subject Teaching Credential, and
  - (D) demonstration of a knowledge of the principles and provisions of the Constitution of the United States pursuant to Education Code Section 44335.
- (3) The holder of a Single Subject Teaching Credential may obtain a Single Subject Teaching Credential in an added authorization by one of the following methods.
- (A) The holder of a Single Subject Teaching Credential may obtain a Single Subject Teaching Credential in an added authorization by verifying the requirements described in (A), (C), and (D) of (d)(1). It will be valid for five years from the original issuance date of the initial preliminary Single Subject Teaching Credential.
  - (B) The holder of a Single Subject Teaching Credential may obtain a Single Subject Teaching Credential in an added authorization by verifying subject matter knowledge described in (A) of (d)(1). It will be valid for two years from the original issuance date of the initial preliminary Single Subject Teaching Credential.
- (4) The applicant will be granted a 5-year preliminary multiple or single subject teaching authorization, with the exceptions described in (d)(3). Upon completion of all requirements for the professional clear credential as specified in Education Code, Section 44259(c), the qualified applicant may be granted a professional clear single or multiple subject teaching authorization.
- (e) A qualified applicant holding a valid teaching credential obtained prior to January 1, 1974, who has completed a fifth year program after earning a baccalaureate degree at a regionally accredited institution may obtain a clear multiple or single subject teaching authorization by verifying subject matter knowledge in the requested area. Subject matter knowledge can be verified by completion of either the appropriate subject-matter examination(s) adopted by the Commission, or a Commission-approved subject-matter program.
- (f) A qualified applicant holding a valid teaching credential obtained prior to January 1, 1974, but who has not yet completed

a fifth year program after earning a baccalaureate degree at a regionally accredited institution, may obtain a preliminary multiple or single subject teaching authorization when the holder has verified subject matter knowledge in the requested area by completion of either the appropriate subject-matter examination(s) adopted by the Commission, or a Commission-approved subject-matter program. Upon completion of a fifth year program including the recommendation of a Commission-approved institution, the qualified applicant may be granted a clear multiple or single subject teaching authorization.

- (g) When a teacher is assigned outside his or her grade level or subject-matter authorization, opportunities for the teacher to have available transitional supervision or training shall be provided as deemed appropriate by the district or county superintendent.

---

NOTE: Authority cited: Section 44225(q), Education Code. Reference: Section 44225(e) and 44259, Education Code.

---



[Back to the Top](#) |

[Back to November 1998 Agenda](#) |

[Back to Agenda Archives](#) |

[Return to About CTC](#) |





# California Commission on Teacher Credentialing

**Meeting of:** November 5-6, 1998

**Agenda Item Number:** C&CA-2

**Committee:** Credentials and Certificated Assignments

**Title:** Proposed Amendments to Title 5 Regulations Related to Declarations of Need for Fully Qualified Educators

✓ Action

**Prepared by:** Dale A. Janssen, Manager  
Certification, Assignment and Waivers Division

---

## Proposed Amendments to the Title 5 Regulations Pertaining to Emergency Permits

October 22, 1998

### Summary

The increased dependence on emergency permits to staff California classrooms during the past two years requires that the Commission regularly review the emergency permit regulations. Based upon the data in the *1996-97 Annual Report: Emergency Permits and Credential Waivers* staff proposed changes to the emergency permit regulations at the July Commission meeting. The Commission at that time directed staff to return with proposed changes to the Declaration of Need for Fully Qualified Educators. Staff reviewed other sections of the regulations and is recommending additional changes.

### Fiscal Impact

There are costs associated with regulation changes such as printing and mailing costs related to the distribution of the proposal. There would be no additional staff time needed to implement the proposed changes if approved.

### Policy Issued to be Resolved

Should the Commission add a "C" grade for all course work required for the emergency permit? Should the Commission allow an emergency permit holder to take a subject matter examination to renew the permit? Should charter schools be exempt from submitting the Declaration of Need for Fully Qualified Educators? Should the Commission require employing agencies to estimate the number of certificated staff serving on pre-internships and internships and justify the need to employ individuals in non-shortage subject areas on the Declaration of Need for Fully Qualified Educators? Should the Commission require emergency permit holders to obtain a credential evaluation from a Commission accredited college or university for the first reissuance of an emergency permit?

### Staff Recommendation

The Commission approve the proposed changes to the regulations pertaining to emergency permits for the purpose of beginning the rulemaking file for submission to the Office of Administrative Law and scheduling a public hearing.

### Background

The Commission has issued emergency credentials or permits for over 25 years. The Class Size Reduction program implemented during the 1996-97 school year dramatically increased the number of emergency permits the Commission had issued up to that point. There was a 115% increase in the number of multiple subject emergency permits issued that year, a 22% increase in single subject emergency permits and a 7% increase in special education emergency permits.

There were a total of 24,503 emergency permits issued in 1996-97, a 55% increase over the previous year. A preliminary report on 1997-98 emergency permits states that there were 29,822 emergency permits issued, an increase of 22%. This number will increase as the Commission continues to process emergency permit applications for 1997-98.

The emergency permit regulations that were amended last year eliminated exemptions for individuals who do not meet the subject matter requirement for emergency permits. One of the proposed amendments outlined in this agenda item continues to strengthen the requirements necessary for the emergency permit by requiring all course work for the emergency permit to be a grade of "C" or better. This requirement places the emergency permit grade requirement on par with supplementary authorizations, CLAD certificates and Child Development permits. With nearly 30,000 teachers serving on emergency permits, staff is recommending a more structured approach to guiding emergency permit holders to the completion of a credential. Currently emergency permit holders often begin taking credential classes prior to the completion of the subject matter knowledge requirement. Some of the holders complete all credential requirements except subject matter and therefore are not allowed into student teaching because the subject knowledge requirement has not been completed. Staff believes there should be more emphasis placed on the completion of the subject knowledge component. Once the emergency permit holder completes the subject matter requirement, he or she should then complete the credential course work. The proposed Title 5 changes in this agenda item reflect the concept that emergency permit holders need more guidance.

### **Proposed Changes to Title 5**

Staff is recommending that two terms be changed throughout the regulations. The first term to be recommended for change is renewal to reissuance. Emergency permits are issued annually, they are not renewed. There are requirements that holders must meet before the Commission will reissue the permit for a subsequent year. Reissue is a more appropriate term than renew. The second term recommended for change is Commission-approved to Commission-accredited. Since 1997 teacher preparation programs and subject-matter programs have been accredited by the Commission's Committee on Accreditation and no longer are approved by the Commission. This proposed change reflects the change in the accreditation process.

**80023.1(a)(1) & (b)(5)** AB544 (Lempert) will amend Education Code Section 47605(l) on January 1, 1999 to require teachers in charter schools to hold a Commission on Teacher Credentialing certificate permit or other document equivalent to that which a teacher in other public schools would be required to hold. This proposed amendment will allow emergency permit holders to serve in charter schools. The proposed language includes charter schools as an employing agency and as one of the entities that may submit emergency permit applications.

**80023.1(e)** The regulations governing the supplementary authorizations, CLAD Certificates, and Child Development permits require that course work used for the particular document must be a grade "C" or higher. The emergency permit should have the same standard as the other documents. Currently staff uses a "C" average which allows a grade of "D" in some classes. It does not seem appropriate to allow individuals with 18 units for a single subject emergency permit or 40 units for the multiple subject emergency permit a grade of "D" for course work required for the subject competency requirement.

**80024.1(a)(2), 80024.2(a)(4), 80024.2.1(a)(3), 80024.3.2(a)(3), 80024.4(a)(3), 80024.5(a)(3), 80024.6(a)(1)(C), 80024.6(a)(2)(C), 80026.6(a)(6)(A)** The current language allows an individual to submit an intent to enroll in a credential program. Staff has found that enrollment is not always possible during the first couple of years an individual holds an emergency permit. Universities require prerequisite course work prior to enrollment which emergency permit holders complete during the early years of the permit. The proposed language requires an individual to affirm that he or she is going to complete the credential requirements which better reflects university entrance requirements.

**80024.1(b)(1), 80024.2(b)(1), 80024.2.1(b)(1), 80024.3.2(b)(2)**, Emergency permit holders are required to complete six semester units in order to reissue the emergency permit. This has created confusion on the part of emergency permit holders. Due to the regulations requiring the holder to enroll in a credential program and complete six units toward the credential, holders do not concentrate on completing the subject matter component of the credential requirement. The proposed change would allow the holder to take the subject matter examination in lieu of the six semester units for the first reissuance of the permit. If the holder passes the examination it would then be appropriate for the holder to enroll in a credential program. If the individual fails the examination, the holder could use the examination results as a diagnostic tool to determine strengths and weaknesses. The holder could then concentrate on appropriate subject matter course work prior to completing credential requirements.

**80024.3** The last day for the initial issuance of these emergency permits was June 30, 1998 and therefore the language in this section is being amended.

**80026** The submission of a Declaration of Need for Fully Qualified Educators is an integral part of the emergency permit process. The Declaration of Need includes estimates of the number of emergency permit holders an employing agency anticipates hiring during a school year and must be adopted by the governing board. The reason for the Declaration of Need is to inform the governing board and public of the need to employ individuals who are not credentialed. This

process allows the board to review the recruitment and hiring policies of the district. In the case of charter schools, parents and the charting organization are already aware of the employment needs of the school. The proposed language exempts charter schools from submitting the Declaration of Need because charter schools require parental involvement and therefore it is not necessary to require the Declaration of Need. AB544 (Lempert), which becomes effective January 1, 1999, requires that the charter development petition be signed by one-half of the parents or guardians of the number of pupils that the charter school estimates will enroll in the school for its first year of operation. The very nature of charter schools is one of parental involvement.

**80026(c)(2)** Education Code Section 44300(a)(3)(A) requires districts to make a diligent search for a sufficient number of certificated teachers, including teacher candidates pursuing full certification through internship, district internship or other alternative routes established by the Commission. By requiring districts to list the number of teachers employed as interns, the governing board and the Commission could assess the commitment the district has made toward eliminating its need for emergency permit teachers.

**80026(d)** The current language of the regulations reflects the Commission's understanding that there may be fully credentialed individuals seeking employment who do not meet specific, perhaps unique, requirements identified by the local district. The agency regularly receives complaints from credentialed teachers who make application for employment, but are unsuccessful, in some cases do not even get interviewed. These credentialed teachers are perplexed, often angry when they learn that the district has filled the position with non-credentialed individuals on emergency permits issued by this agency. Inevitably there is no explanation from the district about what qualifications the credentialed teacher did not meet. The proposed regulation change continues to recognize the reality that districts may have unique needs that a credentialed applicant does not meet, but it seeks to strengthen the requirement that districts provide applicants and the Commission with the unique employment criteria established for the position. Staff believes such a change is necessary to ensure that when requests for emergency permits are made that are not based on an insufficient number of credentialed persons, the basis for the requests are clear and supportable.

**80026(e)** Historically there has been a shortage of teachers in the areas of special education, mathematics and the sciences, but there is no evidence that there is a shortage of agriculture, art, business, English, home economics, health science, instructional technology education, music, physical education and social science teachers. While the Commission grants a sufficient number of credentials each year in the non-shortage areas, there has been a marked increase in the number of emergency permits issued in physical education and social science. Since the implementation of class size reduction there has been an increase of 56% in the number of physical education emergency permits issued in 1997-98 over the pre CSR year of 1995-96 and a 28% increase in the number of social science emergency permits issued during that same time period. Staff is proposing language that would require employing agencies to provide a written justification if they estimate that they will need to employ individuals on emergency permits in non-shortage areas. This justification would give the local governing board an explanation why a district is encountering difficulty recruiting credentialed teachers in areas where there is a sufficient supply of credentialed teachers.

**80026.6(a)(5)** Individuals who serve on emergency permits must sign a statement that they are going to complete the credential requirements which are appropriate to the emergency permit they are serving on. These individuals then take classes to complete the credential requirements. Often they do not consult with a university to determine the appropriate course work required for the credential. The proposed language for this section would require the individual serving on the initial issuance of an emergency permit to contact a college or university with a Commission-accredited professional preparation program to have an evaluation of his or her academic work. This evaluation would show the emergency permit holder the necessary course work required to obtain the appropriate credential. This will provide direction for the permit holder and a copy of this evaluation would be submitted to the Commission at the time of the first reissuance of the permit.

The following pages include the changes recommended by staff to be made to existing Title 5 regulations that govern emergency permits.

---

## **PROPOSED TITLE 5 REGULATIONS EMERGENCY PERMITS**

### **80023.1. General Provisions Governing Emergency Permits.**

The provisions of this section shall apply to all emergency permits specified in Section 80023.

(a) Terms that are used in Sections 80023 through 80027, inclusive, are defined as follows:

- (1) The terms "employing agency" and "local education agency" mean the school district, charter school, county office of education, nonpublic, nonsectarian school or agency, or school operating under the direction of a California state agency, which submits an emergency permit application to the Commission in order to employ the applicant.
- (2) "Applicant" is the individual for whom an emergency permit application is submitted.
- (3) "Regionally accredited college or university" means an institution of postsecondary education accredited by a regional accrediting body recognized by the Council on Postsecondary Accreditation and the United States Department of Education. In California the regional accrediting body is the Western Association of Schools and Colleges (WASC).
- (4) "Related credential" refers to the credential that provides the same authorization as a particular emergency permit.
- (b) The following entities may submit emergency permit applications. Each application shall be submitted to the Commission on behalf of the applicant.
  - (1) Public school districts in California.
  - (2) County offices of education or county superintendents of schools in California.
  - (3) Schools that operate under the direction of a California state agency.
  - (4) Nonpublic, nonsectarian schools and agencies as defined in Education Code Sections 56365 and 56366.
  - (5) Charter Schools as defined in Education Code Section 47605.
- (c) Emergency permits are valid for the length of time specified as follows:
  - (1) An emergency permit is valid for one year.
  - (2) The expiration date of an emergency permit which is dependent upon the possession of a valid basic credential will expire with that credential if it expires before the date explained above. The emergency permit may be extended, with an application and fee but without verification of ~~renewal~~ reissuance requirements, to the end of the specified period when the basic credential is renewed.
  - (3) An individual who holds an emergency permit that was initially issued prior to January 1, 1998, and that is in effect on or after January 1, 1998, may receive one or more reissuances of that permit for a maximum of five additional one-year periods.
  - (4) An individual who is issued an initial emergency permit on or after January 1, 1998, may receive one or more reissuances of that permit for a maximum of four additional one-year periods.
- (d) Teaching or service authorized by an emergency permit shall be restricted to schools operated by the employing agency that requested the permit.
- (e) A grade of "C" or higher, "Pass", or "Credit" must be earned in each course required for the initial issuance and reissuance of an emergency permit. "Non-remedial" coursework for the purposes of this section shall be defined as coursework that is applicable toward a bachelor's degree or a higher degree at a regionally accredited college or university.

---

NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), 44251(c) and 44300 Education Code.

#### **80024.1. Emergency Multiple or Single Subject Teaching Permits.**

- (a) Requirements for the initial issuance of an Emergency Multiple or Single Subject Teaching Permit include all of the following:
  - (1) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.
  - (2) The applicant must ~~demonstrate~~ provide a written affirmation of his or her intent to enroll in a Commission-approved program for the related credential within the valid period of the emergency permit complete the requirements set forth in Section 80026.6 during the period of the permit.
  - (3) The applicant must verify one of the following:
    - (A) Passage of the appropriate subject matter examination(s) approved by the Commission for the related credential; or
    - (B) Successful completion of the specified number of semester units, or equivalent quarter units, of appropriate course work taken at a regionally accredited college or university as follows:
      1. For the Emergency Single Subject Teaching Permit, at least 18 semester units, or nine upper division or graduate semester units of course work in the subject to be taught; or
      2. For the Emergency Multiple Subject Teaching Permit, at least 10 semester units of course work in each of at least four of the following subject areas or at least 10 semester units of course work in each of three subject areas and an additional 10 semester units in a combination of two of the remaining subject areas. The subject areas are as follows: language studies, history, literature, humanities, mathematics, the arts, science, physical education, social science, and human development.

(b) To ~~renew~~ reissue an Emergency Multiple or Single Subject Teaching Permit, the applicant and the employing agency must meet the requirements for ~~renewal~~ reissuance of emergency permits specified in Section 80026.6.

(1) The applicant who has not completed the subject matter knowledge requirement specified in Section 80413(a)(3) may, for the first reissuance only, take all components of the appropriate subject matter examination as described in Section 80071 in lieu of six semester units of courses from a regionally accredited college or university.

(c) Authorization:

(1) An Emergency Multiple Subject Teaching Permit authorizes the same service as a Multiple Subject Teaching Credential.

(2) An Emergency Single Subject Teaching Permit authorizes the same service as a Single Subject Teaching Credential in the authorized field(s) listed on the permit.

NOTE: Authority cited: Section 44225(d), (g), and (q), and 44300, Education Code. Reference: Sections 44300, and 44301 Education Code.

### **80024.2. Emergency Multiple or Single Subject Teaching Permit with a Bilingual, Crosscultural, Language and Academic Development (BCLAD) Emphasis.**

(a) Requirements for the initial issuance of an Emergency Multiple or Single Subject Teaching Permit with a Bilingual, Crosscultural, Language and Academic Development (BCLAD) Emphasis include all of the following:

(1) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.

(2) The applicant must verify target-language proficiency by one of the following:

(A) Passage in the target language of the listening and speaking sections of Test 6 of the CLAD/BCLAD Examinations, or the oral language component of the Bilingual Certificate of Competence (BCC) examination, or

(B) Passage in the target language of an assessment covering oral language proficiency, both listening and speaking, administered by a California college or university as a part of its ~~Commission-approved~~ accredited BCLAD emphasis program, or

(C) Passage in the target language for which the Commission has no BCLAD Test 6 of an assessment covering oral language proficiency, both listening and speaking, performed by an approved organization pursuant to Education Code Section 44253.5(a), or

(D) Possession of a three-year or higher degree from a foreign institution in which all instruction was delivered in the target language. The foreign institution must be equivalent in status to a regionally accredited institution of higher education in the United States.

(E) Possession of a valid, non-emergency California Single Subject or Standard Secondary Teaching Credential with a major in the target language.

(3) The applicant must verify subject-matter competence by one of the following:

(A) Passage of the appropriate subject matter examination(s) approved by the Commission for the related credential; or

(B) Successful completion of the specified number of semester units, or equivalent quarter units, of appropriate course work taken at a regionally accredited college or university as follows:

1. For the Emergency Single Subject Teaching Permit with a BCLAD Emphasis, at least 18 semester units, or nine upper division or graduate semester units of course work in the subject to be taught; or

2. For the Emergency Multiple Subject Teaching Permit with a BCLAD Emphasis, at least 10 semester units of course work in each of at least four of the following subject areas or at least 10 semester units of course work in each of three subject areas and an additional 10 semester units in a combination of two of the remaining subject areas. The subject areas are as follows: language studies, history, literature, humanities, mathematics, the arts, science, physical education, social science, and human development.

(4) The applicant must ~~demonstrate~~ provide a written affirmation of his or her intent to enroll in a Commission-approved program for the related credential within the valid period of the emergency permit complete the requirements set forth in Section 80026.6 during the period of the permit.

(b) To ~~renew~~ reissue an Emergency Multiple or Single Subject Teaching Permit with a BCLAD Emphasis, the applicant and the employing agency must meet the requirements for ~~renewal~~ reissuance of emergency permits specified in Section 80026.6.

(1) The applicant who has not completed the subject matter knowledge requirement specified in Section 80413(a)(3) may, for the first reissuance only, take all components of the appropriate subject matter examination as described in Section 80071 in lieu of six semester units of courses from a regionally accredited college or university.

(c) Authorization.

(1) An Emergency Multiple Subject Teaching Permit with a BCLAD Emphasis authorizes the same service as a

Multiple Subject Teaching Credential with a BCLAD Emphasis in the target language(s) listed on the permit.

- (2) An Emergency Single Subject Teaching Permit with a BCLAD Emphasis authorizes the same service as a Single Subject Teaching Credential with a BCLAD Emphasis in the target language(s) and authorized field(s) listed on the permit.

---

NOTE: Authority cited: Section 44225(d), (g) and (q) and 44300, Education Code. Reference: Sections 44300 and 44301 Education Code.

### **80024.2.1 Emergency Multiple or Single Subject Teaching Permit with a Crosscultural, Language and Academic Development (CLAD) Emphasis**

- (a) Requirements for the initial issuance of an Emergency Multiple or Single Subject Teaching Permit with a Crosscultural, Language and Academic Development (CLAD) Emphasis include all of the following:
- (1) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.
  - (2) The applicant must verify one of the following:
    - (A) Passage of the appropriate subject matter examination(s) approved by the Commission for the related credential; or
    - (B) Successful completion of the specified number of semester units, or equivalent quarter units, of appropriate course work taken at a regionally accredited college or university as follows:
      1. For the Emergency Single Subject Teaching Permit with a CLAD Emphasis, at least 18 semester units, or nine upper division or graduate semester units of course work in the subject to be taught; or
      2. For the Emergency Multiple Subject Teaching Permit with a CLAD Emphasis, at least 10 semester units of course work in each of at least four of the following subject areas or at least 10 semester units of course work in each of three subject areas and an additional 10 semester units in a combination of two of the remaining subject areas. The subject areas are as follows: language studies, history, literature, humanities, mathematics, the arts, science, physical education, social science, and human development; or
  - (3) ~~The applicant must demonstrate~~ provide a written affirmation of his or her intent to enroll in a Commission-approved program for the related credential within the valid period of the emergency permit complete the requirements set forth in Section 80026.6 during the period of the permit.
- (b) ~~To renew~~ reissue an Emergency Multiple or Single Subject Teaching Permit with a CLAD Emphasis, the applicant and the employing agency must meet the requirements for ~~renewal~~ reissuance of emergency permits specified in Section 80026.6.
- (1) The applicant who has not completed the subject matter knowledge requirement specified in Section 80413(a)(3) may, for the first reissuance only, take all components of the appropriate subject matter examination as described in Section 80071 in lieu of six semester units of courses from a regionally accredited college or university.
- (c) Authorization:
- (1) An Emergency Multiple Subject Teaching Permit with a CLAD Emphasis authorizes the same service as a Multiple Subject Teaching Credential with a CLAD Emphasis.
  - (2) An Emergency Single Subject Teaching Permit with a CLAD Emphasis authorizes the same service as a Single Subject Teaching Credential with a CLAD Emphasis in the authorized field(s) listed on the permit.

---

NOTE: Authority cited: Section 44225(d), (g) and (q) and 44300, Education Code. Reference: 44300, and 44301 Education Code.

### **80024.3 Emergency Specialist Instruction Permits for Teaching the Learning Handicapped, the Severely Handicapped, the Physically Handicapped, the Communication Handicapped, or the Visually Handicapped.**

- (a) ~~Requirements for the initial issuance of an Emergency Specialist Instruction Permit for Teaching the Learning Handicapped, the Severely Handicapped, the Physically Handicapped, the Communication Handicapped, or the Visually Handicapped include all of the following:~~
- (1) ~~The applicant and the employing agency must meet the general requirements specified in Section 80023.2.~~
  - (2) ~~Either (A) or (B) below:~~
    - (A) ~~The applicant must possess a valid California teaching credential requiring a baccalaureate degree and a professional preparation program, including student teaching, or~~
    - (B) ~~The applicant must possess or show eligibility for an out-of-state credential in special education requiring a baccalaureate degree, and have completed a program approved by the responsible state licensing agency at a regionally accredited institution.~~
  - (3) ~~The applicant must demonstrate intent to enroll in a Commission-approved program for the appropriate~~

~~Special Education Specialist Instruction Credential or the basic teaching credential within the valid period of the emergency permit.~~

~~(4) Emergency Specialist Instruction Permits shall not be issued initially after June 30, 1998.~~

(b)(a) To ~~renew~~ reissue an Emergency Specialist Instruction Permit for Teaching the Learning Handicapped, the Severely Handicapped, the Physically Handicapped, the Communication Handicapped, or the Visually Handicapped the applicant and the employing agency must meet the requirements for ~~renewal~~ reissuance of emergency permits specified in Section 80026.6.

(1) Emergency Specialist Instruction Permits shall not be ~~renewed~~ reissued after June 30, 2001.

(c) Authorization: An Emergency Specialist Instruction Permit authorizes the same service as the Specialist Instruction Credential in the authorized field(s) listed on the permit.

---

NOTE: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), and 44300 Education Code.

### **80024.3.1 Emergency Resource Specialist Permit.**

(a) Requirements for the initial issuance of an Emergency Resource Specialist Permit include all of the following:

(1) The applicant and the employing agency must meet the general requirements as stated in Section 80023.2.

(2) Either (A) or (B) below:

(A) The applicant must possess a valid California teaching credential requiring a baccalaureate degree and a professional preparation program, including student teaching, or

(B) The applicant must possess or show eligibility for an out-of-state credential in special education requiring a baccalaureate degree, and have completed a program approved by the responsible state licensing agency at a regionally accredited institution.

(3) Either (A), (B), or (C) below:

(A) The applicant who holds a basic California teaching credential which does not authorize instruction for special education students must demonstrate intent to enroll in a Commission-~~approved~~ accredited program for the appropriate Special Education Specialist Instruction Credential within the valid period of the emergency permit.

(B) The applicant who holds a California teaching credential which authorizes instruction for special education students must demonstrate intent to either enroll in a Commission-~~approved~~ accredited program or complete the assessment for the Resource Specialist Certificate of Competence as outlined in Sections 80070.2 through 80070.8 within the valid period of the emergency permit.

(C) The applicant who holds or is eligible for an out-of-state credential in special education must demonstrate intent to enroll in either a Commission-~~approved~~ accredited program for the appropriate Special Education Specialist Instruction Credential or the basic teaching credential, as appropriate to his or her training, within the valid period of the emergency permit.

(b) To ~~renew~~ reissue an Emergency Resource Specialist Permit the applicant and the employing agency must meet the requirements for ~~renewal~~ reissuance of emergency permits specified in Section 80026.6, except in lieu of the six semester units of coursework or ninety clock hours of professional development described in Section 80026.6(a)(5), the applicant who holds a California teaching credential which authorizes instruction for special education students may complete the assessment for the Resource Specialist Certificate of Competence provided for in Section 80070.6.

(c) Authorization: An Emergency Resource Specialist Permit authorizes the same service as the Resource Specialist Certificate of Competence.

---

NOTE: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), and 44300 Education Code.

### **80024.3.2. Emergency Education Specialist Instruction Permits.**

(a) Requirements for the initial issuance of an Emergency Education Specialist Instruction Permit in the areas of Mild/Moderate Disabilities, Moderate/Severe Disabilities, Deaf and Hard-of-Hearing, Physical and Health Impairments, Visual Impairments, and Early Childhood Special Education include all of the following:

(1) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.

(2) In addition, the applicant must meet (A), (B), (C) or (D) below:

(A) must possess a valid California teaching credential requiring a baccalaureate degree and a professional preparation program, including student teaching, or

(B) must possess or show eligibility for an out-of-state credential in special education requiring a baccalaureate degree, and have completed a program approved by the responsible state licensing agency at a regionally accredited institution, or

- (C) must verify a minimum of three years of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students in a public school or a state certified nonpublic, nonsectarian school or a state certified nonpublic, nonsectarian agency with students in the age range of the authorization being requested, or
  - (D) must verify a minimum of nine semester units of coursework ~~with a grade of "C" or better~~ in special education or in a combination of special education and regular education that are appropriate to a special education or regular education teaching credential.
- (3) ~~The applicant must demonstrate provide a written affirmation of his or her intent to enroll in a program accredited by the Committee on Accreditation for the appropriate Education Specialist Instruction Credential within the valid period of the emergency permit~~ complete the requirements set forth in Section 80026.6 during the period of the permit.
- (b) To ~~renew~~ reissue an Emergency Specialist Instruction Permit in the areas of Mild/Moderate Disabilities, Moderate/Severe Disabilities, Deaf and Hard-of-Hearing, Physical and Health Impairments, Visual Impairments, and Early Childhood Special Education, the applicant and the employing agency must meet the requirements for ~~renewal~~ reissuance of emergency permits specified in 80026.6.
- (1) The applicant who completed a professional preparation program as described in Section 80048.3(b)(2) must complete at least six semester units of coursework toward completion of the requirements described in Section 80048.3(b)(4) through (8) in lieu of the requirements described in 80026.6 (a)(5)(A).
- (2) The applicant who has not completed the subject matter knowledge requirement specified in Section 80413(a)(3) may, for the first reissuance only, take all components of the appropriate subject matter examination as described in Section 80071 in lieu of six semester units of courses from a regionally accredited college or university.
- (c) Authorization: An Emergency Education Specialist Instruction Permit authorizes the same service as the Education Specialist Instruction Credential in the authorized field(s) listed on the permit.

NOTE: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), 44265 and 44300 Education Code.

#### **80024.4. Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, including the Special Class Authorization.**

- (a) Requirements for the initial issuance of an Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, including the Special Class Authorization include all of the following:
- (1) The applicant and the employing agency must meet the general requirements as stated in Section 80023.2.
  - (2) The applicant must verify either of the following:
    - (A) Possession of a valid Clinical or Rehabilitative Services Credential in Language, Speech and Hearing; or
    - (B) Possession of a baccalaureate degree from a regionally accredited college or university and successful completion of an organized program of at least two full years or 60 semester units, including a minimum of 75 hours of supervised clinical practice with school-age children, in a regionally accredited college or university, in the area of language, speech and hearing.
  - (3) ~~The applicant must demonstrate provide a written affirmation of his or her intent to enroll in a Commission approved program for the Clinical or Rehabilitative Service Credential in Language, Speech and Hearing, including the Special Class Authorization, within the valid period of the emergency permit~~ complete the requirements set forth in Section 80026.6 during the period of the permit.
  - (4) The Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, including the Special Class Authorization shall not be issued initially after July 1, 2000.
- (b) To ~~renew~~ reissue an Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, including the Special Class Authorization, the applicant and the employing agency must meet the requirements for ~~renewal~~ reissuance of emergency permits specified in Section 80026.6.
- (c) Authorization. An Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, including the Special Class Authorization, authorizes the same service as a Clinical or Rehabilitative Services Credential in Language, Speech and Hearing, including the Special Class Authorization.

NOTE: Authority cited: Section 44225(q), Education Code. Reference: Sections , 44225 subdivisions (d) and (g), 44268 and 44300 Education Code.

#### **80024.5. Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing.**

- (a) Requirements for the initial issuance of an Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing include all of the following:
- (1) The applicant and the employing agency must meet the general requirements as stated in Section 80023.2.
  - (2) The applicant must verify possession of a baccalaureate degree from a regionally accredited college or

university and successful completion of an organized program of at least two full years or 60 semester units, including a minimum of 75 hours of supervised clinical practice with school-age children, in a regionally accredited college or university, in the area of language, speech and hearing.

- (3) The applicant must ~~demonstrate~~ provide a written affirmation of his or her intent to enroll in a Commission approved program for the Clinical or Rehabilitative Service Credential in Language, Speech and Hearing within the valid period of the emergency permit complete the requirements set forth in Section 80026.6 during the period of the permit.
  - (4) The Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing shall not be issued initially after July 1, 2000.
- (b) To ~~renew~~ reissue an Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, the applicant and the employing agency must meet the requirements for ~~renewal~~ reissuance of emergency permits specified in Section 80026.6.
  - (c) Authorization. An Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing authorizes the same service as a Clinical or Rehabilitative Services Credential in Language, Speech and Hearing.

---

NOTE: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225 subdivisions (d) and (g), 44268 and 44300 Education Code.

#### **80024.6 Emergency Library Media Teacher Services Permit.**

- (a) Requirements for the initial issuance of the Emergency Library Media Teacher Services Permit are as follows:
  - (1) Persons holding a valid California Teaching Credential must verify all of the following:
    - (A) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.
    - (B) The applicant must possess a valid California Teaching Credential based on a baccalaureate degree and a professional preparation program, including student teaching.
    - (C) The applicant must ~~demonstrate~~ provide a written affirmation of his or her intent to enroll in a Commission approved program for the Library Media Teacher Services Credential within the valid period of the emergency permit complete the requirements set forth in Section 80026.6 during the period of the permit.
  - (2) Persons holding or eligible for a valid service credential from a state other than California must verify all of the following:
    - (A) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.
    - (B) The applicant must verify possession of or eligibility for an out-of-state credential or certificate authorizing service as a school librarian.
    - (C) The applicant must ~~demonstrate~~ provide a written affirmation of his or her intent to enroll in a Commission approved program for the Library Media Teacher Services Credential within the valid period of the emergency permit complete the requirements set forth in Section 80026.6 during the period of the permit.
- (b) To ~~renew~~ reissue an Emergency Library Media Teacher Services Permit, the applicant and the employing agency must meet the requirements for ~~renewal~~ reissuance of emergency permits specified in Section 80026.6.
- (c) Authorization. An Emergency Library Media Teacher Services Permit authorizes the same service as a Library Media Teacher Services Credential.

---

Note: Authority cited: Section 44225 subsections (b) and (q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), and 44300 Education Code.

#### **80024.7 Emergency Bilingual, Crosscultural, Language and Academic Development (BCLAD) Permit**

- (a) Requirements for the initial issuance of an Emergency Bilingual, Crosscultural, Language and Academic Development (BCLAD) Permit include all of the following:
  - (1) The applicant and the employing agency must meet the general requirements specified in section 80023.2.
  - (2) The applicant must possess a valid credential or permit as specified in Education Code Section 44253.4(b)(1).
  - (3) The applicant must verify target-language proficiency by one of the following:
    - (A) Passage in the target language of the listening and speaking sections of Test 6 of the CLAD/BCLAD Examinations, or the oral language component of the Bilingual Certificate of Competence (BCC) examination, or
    - (B) Passage in the target language of an assessment covering oral language proficiency, both listening and speaking, administered by a California college or university as a part of its ~~Commission approved~~ accredited BCLAD emphasis program, or

- (C) Passage in the target language for which the Commission has no BCLAD Test 6 of an assessment covering oral language proficiency, both listening and speaking, performed by an approved organization pursuant to Education Code Section 44253.5(a), or
  - (D) Possession of a valid, non-emergency California Single Subject or Standard Secondary Teaching Credential with a major in the target language, or
  - (E) Possession of a three-year or higher degree from a foreign institution in which all instruction was delivered in the target language. The foreign institution must be equivalent in status to a regionally accredited institution of higher education in the United States.
- (b) To ~~renew~~ reissue an Emergency Bilingual, Crosscultural, Language and Academic Development (BCLAD) Permit the applicant and the employing agency must meet the requirements for ~~renewal~~ reissuance of emergency permits specified in Section 80026.6 except in lieu of the six semester units of coursework or ninety clock hours of professional development described in Section 80026.6(a)(5), the applicant must complete both of the following:
- (1) Pass either Test 4, Test 5, or all four parts of Test 6 of the CLAD/BCLAD Examinations if these tests, or their equivalent as detailed in Section 80015.1, were not passed prior to issuance of the emergency permit being ~~renewed~~ reissued. If all of these tests were passed prior to the issuance of the emergency permit being ~~renewed~~ reissued, three semester units of coursework required for the CLAD Certificate may be substituted. Passage of the four parts of Test 6 is not required of anyone who qualifies for the emergency permit by completion of subsections (D) or (E) in section 80024.7(a)(3) above.
  - (2) Pass either Test 1, Test 2, or Test 3 of the CLAD/BCLAD Examinations if these tests, or their equivalent as detailed in Section 80015.1, were not passed prior to issuance of the emergency permit being ~~renewed~~ reissued. If all of these tests were passed, or if the applicant opts to complete coursework in lieu of taking these tests, three semester units of coursework required for the CLAD Certificate may be substituted.
- (c) Authorization. The Emergency Bilingual, Crosscultural, Language and Academic Development (BCLAD) Permit authorizes the same service as the Bilingual, Crosscultural, Language and Academic Development (BCLAD) Certificate.

NOTE: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), and 44300 Education Code.

#### **80024.8 Emergency Crosscultural, Language and Academic Development (CLAD) Permit**

- (a) Requirements for the initial issuance of an Emergency Crosscultural, Language and Academic Development (CLAD) Permit include all of the following:
- (1) The applicant and the employing agency must meet the general requirements specified in section 80023.2.
  - (2) The applicant must possess a valid credential or permit as specified in Education Code Section 44253.3(b)(1).
- (b) To ~~renew~~ reissue an Emergency Crosscultural, Language and Academic Development (CLAD) Permit the applicant and the employing agency must meet the requirements for ~~renewal~~ reissuance of emergency permits specified in Section 80026.6 except in lieu of the six semester units of coursework or ninety clock hours of professional development described in Section 80026.6(a)(5), the applicant must complete any two of the following: Test 1, Test 2, or Test 3 of the CLAD/BCLAD Examination, if these tests, or their equivalent as detailed in Section 80015.1, were not passed prior to issuance of the emergency permit being ~~renewed~~ reissued. If the tests were passed, or if the applicant opts to complete coursework in lieu of taking the tests, three semester units of coursework required for the CLAD Certificate may be substituted for each test not taken.
- (c) Authorization. The Emergency Crosscultural, Language and Academic Development (CLAD) Permit authorizes the same service as the Crosscultural, Language and Academic Development (CLAD) Certificate.

NOTE: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), and 44300 Education Code.

#### **80026. Declaration of Need for Fully Qualified Educators.**

Submission of a Declaration of Need for Fully Qualified Educators by the employing agency shall be a prerequisite to the issuance of any emergency permit for that agency. Charter schools as defined in Education Code Section 47605 shall be exempt from submitting a Declaration of Need for Fully Qualified Educators. The Declaration of Need for Fully Qualified Educators by an employing agency shall be valid for no more than twelve months, and shall expire on the June 30 following its submission to the Commission, unless the employing agency has an approved Plan to Develop Fully Qualified Educators which specifies a period of validity longer than twelve months. The Declaration of Need for Fully Qualified Educators shall be submitted to the Commission on a form to be provided by the Commission, and shall include all of the following information:

- (a) Estimated Need: This shall include the title(s) and number of each type of emergency permit which the employing agency estimates, based on previous year actual needs and projections of enrollment, it will need during the year covered by the Declaration. In addition, it shall include each subject to be listed on Emergency Single Subject

Teaching Permits and the target language on Emergency Multiple Subject or Single Subject Teaching Permits with a Bilingual, Crosscultural, Language and Academic Development (BCLAD) Emphasis or on Emergency BCLAD Permits. The Declaration of Need for Fully Qualified Educators shall be revised, when the number of emergency permits needed exceeds the estimate by ten percent, by the governing board or superintendent/administrator of the employing agency, as specified in subsection (e) below.

- (b) Efforts to Recruit Certificated Personnel. This shall include a brief description of efforts that the employing agency has undertaken to locate and recruit individuals who hold the needed credentials, such as dated copies of written announcements of its vacancy or vacancies which were mailed to college or university placement centers.
- (c) Efforts to Establish Alternative Training Options. The Declaration shall:
  - (1) identify the names of institutions of higher education co-sponsoring internships or other certification programs with the employing agency or, if no such programs exist, briefly explain why; and
  - (2) if the employing agency participates in pre-internship or internship programs, estimate the number which the employing agency reasonably expects to employ during the year covered by the Declaration; and indicate whether the employing agency has considered developing a "Plan to Develop Fully Qualified Educators" in cooperation with other education agencies in the region pursuant to Section 80026.4, or if not
  - (3) briefly explain why.
- (d) Stipulation of Insufficiency of ~~Suitable Applicants~~. The employing agency shall certify that there is an insufficient number of certificated persons who meet the employing agency's specified employment criteria ~~to fill necessary positions~~ as described on the employment announcement or job bulletin.
- (e) Justification for Employment of Emergency Permit Holders: The employing agency shall provide a written justification for the need to employ individuals in non-shortage areas as defined by the Commission.
- (e)(f) Adoption of the Declaration. The Declaration of Need for Fully Qualified Educators shall be adopted by the governing board of a school district, or by the superintendent of a county office of education or by the administrator of a state school or nonpublic, nonsectarian school or agency.
  - (1) A Declaration of Need for Fully Qualified Educators by a school district shall be adopted by the governing board in a regularly-scheduled, public meeting of the board. The entire Declaration of Need for Fully Qualified Educators shall be included in the board agenda, and shall not be adopted by the board as part of a consent calendar.
  - (2) A superintendent of a county office or the administrator of a state school or nonpublic, nonsectarian school or agency shall publicly announce his or her intent to adopt a Declaration of Need for Fully Qualified Educators at least 72 hours prior to adopting the Statement. The adopted Statement shall be signed by the superintendent or administrator.

NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), and 44300 Education Code.

### **80026.1. Information to Applicants.**

The local education agency shall inform each applicant for an emergency permit specified in Section 80023 of all of the following:

- (a) that the employing agency will provide the orientation, guidance and assistance required by Section 80026.5,
- (b) the name, or if providing the name is not feasible, the position, of the individual responsible for providing the guidance and assistance required by Section 80026.5;
- (c) that, in order to ~~renew~~ reissue an emergency permit, the applicant must ~~be admitted to a Commission approved professional preparation program, and must~~ complete a minimum of six semester units, or nine quarter units, of approved course work for the related credential or, for the first ~~renewal~~ reissuance, be participating in a professional development program, and complete the equivalent as described in the employing agency's "Plan to Develop Fully Qualified Educators-", unless exceptions for ~~renewal~~ reissuance are listed under the specific requirement for the type of emergency permit for which application is being made.

NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), and 44300 Education Code.

### **80026.4. Plan to Develop Fully Qualified Educators**

- (a) Any employing agency may submit a Plan to Develop Fully Qualified Educators to the Commission for approval. Such a Plan shall be developed by the employing agency, in collaboration with a county office of education, regionally accredited college or university, Special Education Local Planning Area, or other public education entity in the region of the employing agency, as appropriate. The Plan shall describe efforts by the employing agency to:
  - (1) recommend to the Commission the certification of personnel who, by virtue of education, training or experience, have been judged by certificated educators from the employing agency as competent to serve in an assignment, but are not yet certified to do so;

- (2) support and assist persons who have training and experience in teaching, but neither training nor experience in the area to which they will be assigned; and
  - (3) provide development activities for persons who have neither training nor experience in teaching, for example, through university or district internships, technologically based learning, or intensive professional development programs.
- (b) Any Plan To Develop Fully Qualified Educator may propose alternatives to enrollment in a ~~Commission-approved~~ accredited preparation program for the first year of development of persons granted an emergency permit for the first time. Such alternatives shall be designed to provide ninety clock hours of professional development and to be equivalent to at least 6 units of course work offered to first-year emergency permit holders by a college or university with a preparation program ~~approved~~ accredited by the Commission. Any such proposed alternative shall include information on how the performance of the applicant for the ~~renewal~~ reissuance of an emergency permit shall be evaluated.
- (c) Any Plan to Develop Fully Qualified Educators may propose ways for the employing agency to streamline or decentralize existing procedures for the issuance or ~~renewal~~ reissuance of any or all of the emergency permits listed in Section 80023 to allow the employing agency to devote more personnel or fiscal resources to supporting, assisting and developing fully qualified educators, and fewer resources to paperwork or other tasks associated with applying for emergency permits.

NOTE: Authority cited: Section 44225(q), Education Code. Reference: Section 44225, subdivisions (d) and (g), and 44300, Education Code.

#### **80026.6 Requirements for the ~~Renewal~~ Reissuance of Emergency Permits.**

- (a) The ~~renewal~~ reissuance requirements for an emergency permit identified in Section 80023, shall include all of the following:
- (1) A completed Application for Credential Authorizing Public School Service (form 41-4, rev 4-94), .
  - (2) Payment of the fee(s) required by Section 80487.
  - (3) Prior submission of a Declaration of Need for Fully Qualified Educators that satisfies the provisions of Section 80026.
  - (4) Verification that orientation, guidance and assistance have been provided as required in Section 80026.5.
  - (5) For the first reissuance only, an evaluation by a Commission-accredited professional preparation institution identifying requirements the emergency permit holder must complete to be eligible for the related credential.
- (5)(6) The following, unless exceptions for ~~renewal~~ reissuance are listed under the specific requirement for the type of emergency permit for which application is being made:
- (A) ~~admission to and enrollment in a Commission-approved professional preparation program, and~~ eCompletion of at least six semester units (or the equivalent quarter units) of approved coursework in a Commission-accredited professional preparation program required for issuance of the related credential; or
  - (B) for the first ~~renewal~~ reissuance only, completion of a minimum of ninety hours of professional development activities that are directly related to the subject or class authorized by the emergency permit if the applicant is employed by a employing agency with a Plan to Develop Fully Qualified Educators which has been ~~approved~~ accredited by the Commission.

NOTE: Authority Cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), and 44300 Education Code.



[Back to the Top](#) |  
[Back to](#)  
[November 1998 Agenda](#) |  
[Back to Agenda Archives](#) |  
[Return to About CTC](#) |





# California Commission on Teacher Credentialing

**Meeting of:** November 5-6, 1998

**Agenda Item Number:** C&CA-3

**Committee:** Credentials and Certificated Assignments

**Title:** A Report on Issues Related to the School Counseling Credential

✓ Report

**Prepared by:** Jim Alford  
Analyst

---

## A Report on Issues Related to the Pupil Personnel Services Credential in School Counseling

October 23, 1998

### Summary

This item provides information requested by the Commissioners in the October 1998 meeting related to requirements for obtaining a pupil personnel services (PPS) credential. The request pertained to consideration of an additional requirement that an individual be required to hold a teaching credential in order to obtain a PPS credential. Specifically, staff was asked whether the addition of such a requirement could be implemented through a change in regulation, or whether a change in statute would be required. In reviewing related statutes and regulations, it is staff's conclusion that legislation would be necessary in order to require that candidates obtain a teaching credential to be eligible for a PPS credential.

### Fiscal Impact

There is no fiscal impact to the Commission related to this agenda item.

### Policy Issues to be Resolved

This report is presented in response to the Commission request for additional information.

### Recommendation

None.

### Background

Education Code Section 44266 establishes the general requirements for issuance of Pupil Personnel Services (PPS):

*The minimum requirements for the services credential with a specialization in pupil personnel services are a baccalaureate degree or higher degree, except in professional education, from an approved institution, a fifth year of study, and any specialized and professional preparation that the commission shall require, including completion of a commission-approved program of supervised field experience that includes direct classroom contact, jointly sponsored by a school district and a college or university.*

This section does not include a prerequisite credential as a requirement for a PPS credential, nor does it appear to give the Commission latitude to add such a requirement. According to the Commission's legal counsel, by not including a credential requirement in an Education Code section when that requirement has been specifically included in related

sections, the Legislature establishes an implied intent to exclude the requirement for the credential addressed in the section in question. A review of Education Code sections related to credentials that currently require a prerequisite teaching credential shows that those sections clearly specify that requirement. For example, EC §44269 related to Library Media Teacher Services Credentials states:

*The standards for these credentials are a baccalaureate degree or higher degree from an institution approved by the commission, a valid teaching credential and specialized and professional preparation as the commission may require.*

Similarly, EC §44270 establishes that candidates must hold a prerequisite credential in order to qualify for an Administrative Services Credential and proceeds to list the types of credentials accepted to meet this requirement. These sections establish a precedent to include the requirement for a prerequisite credential within the Education Code section related to the credential as a legal basis for establishing it as a requirement for issuance of the credential.

Commission legal counsel indicates it would be prudent for the Commission to proceed by way of legislative amendment. Under the Government Code, regulations are not valid or effective unless they are consistent with (and not in conflict with) the underlying statute and are reasonably necessary to effectuate the purpose of the statute. Here, regulations establishing a teaching credential as a prerequisite for the issuance of a PPS credential may be viewed as an impermissible attempt to expand the intent and scope of EC §44266 and would therefore be vulnerable to legal challenge.

### **History of Related Requirements for Pupil Personnel Services Authorizations**

Pupil personnel services credentials have a long history in California, first existing under the general credential requirements of the mid 1950's. The *General Pupil Personnel Services Credential* required 1) a bachelor's degree; 2) a 30 semester-unit program of general and specialized PPS preparation course work, and; 3) two years of successful teaching experience, two years of supervised pupil personnel services field experience, or two years of combined experience in these areas. Requirements for this credential did not include possession of a teaching credential, and the experience requirement was defined such that a candidate could obtain the credential without any teaching experience.

The *Standard Designated Services Credential with a Specialization in Pupil Personnel Services* was the credential issued under the post-1961 Fisher statutes. Requirements for this credential included 1) either a master's degree in a counseling-related field or a Psychologist Certificate issued by the State of California; 2) Sixty semester hours of PPS preparation course work at the postgraduate level, and; 3) 480 clock hours of supervised PPS field work. As with the General PPS credential requirements, requirements for the Standard PPS credential did not include possession of a teaching credential, nor did the field experience requirement include teaching experience.

Current standards for California Pupil Personnel Services programs include a field experience requirement. This requirement may not be satisfied by teaching experience, and teaching experience is not required for the credential. Current field experience program standards for each PPS specialization follow:

#### **School Counseling, School Social Work**

450 hours of field practice supervised by an experienced practitioner who holds the Pupil Personnel Services credential are required. Included in this field practice must be 100 hours working with students of a racial/ethnic background different from that of the candidate. (For the school counseling specialization, 25 clock hours involving group counseling and guidance activities must also be included.) The field practice must be completed in at least two of the following three settings: elementary, middle school, and high school.

#### **School Psychology**

540 hours of field practice supervised by an experienced practitioner who holds the Pupil Personnel Services credential are required. Included in this field practice must be 100 hours working with students of a racial/ethnic background different from that of the candidate. The field practice must be completed in at least two of the following three settings: elementary, middle school, and high school.

#### **School Child Welfare and Attendance**

90 hours of field supervised field experience in the attendance laws and the rights of minors are required. This requirement must be completed in addition to the field experience required for issuance of the prerequisite Pupil Personnel Services Credential held by the candidate.

### **Summary**

No previous or current California credentials authorizing pupil personnel services have specifically required previous teaching experience, nor have they required possession of a teaching credential. It should be noted that both generic and specific program standards for current PPS programs include a consultation component meant to establish candidates' ability to consult with teachers, administrators and other involved parties in the provision of pupil personnel services. The advisory panel currently reviewing PPS program standards is considering expanding program requirements related to consulting with teachers to address the panel's interest in strengthening the working

relationships between counselors and teachers and including the input of counselors in the process of student instruction. These potential expanded requirements may affect both the course work and field work components of future PPS programs. The advisory panel is also discussing the issue of requiring a teaching credential as a prerequisite for a PPS credential.

While establishment of the requirement that an individual possess a teaching credential as a prerequisite for obtaining a PPS credential would be a significant change from current and past practice, the Commission could consider sponsoring legislation to that effect. Prior to such an endeavor, it may be advisable for the Commissioners to direct staff from the Professional Services Division to review any research previously conducted concerning whether teaching experience or possession of a teaching credential has been shown to enhance the capabilities of individuals to provide pupil personnel services.



[Back to the Top](#) |

[Back to November 1998 Agenda](#) |

[Back to Agenda Archives](#) |

[Return to About CTC](#) |





# California Commission on Teacher Credentialing

**Meeting of:** November 5-6, 1998

**Agenda Item Number:** C&CA-4

**Committee:** Credentials and Certificated Assignment

**Title:** Proposed Plan to Implement Provisions of AB 544 Related to Declarations of Need for Fully Qualified Educators

✓ Action

**Prepared by:** Robert L. Salley, Director

Certification, Assignment and Waivers Division

---

## A Review of the Effects of AB 544 On Teachers in Charter Schools

October 23, 1998

### Summary

Effective January 1, 1999, all teachers in charter schools will be required to hold a teaching credential, emergency permit or waiver issued by the California Commission on Teacher Credentialing. The new requirement will substantially impact certain types of charter schools. This report makes recommendations on the implementation of the Commission's responsibilities under the provisions of AB 544 and raises issues for future consideration.

### Fiscal Impact

The revenues of the agency will be increased slightly by the requirement that all teachers in charter schools hold a document issued by the Commission. Processing the additional applications will increase the work responsibilities of the agency staff.

### Policy Implications

What are the potential effects of the provisions of AB 544 on charter schools? To what extent are existing Commission regulations and policies appropriate for the staffing of charter schools?

### Recommendation

That the Commission adopt the proposed implementation plan as described below.

### Background

In 1992 the California State Legislature passed SB 1448 (Hart) entitled "The Charter School Act of 1992" which was subsequently signed into law by Governor Wilson. The legislation identified the following reasons for establishing charter schools:

- Improve student learning;
- increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving;
- encourage the use of different and innovative teaching methods;
- create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site;

- provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system; and
- hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.

The 1992 legislation placed a cap of 100 on the total number of charter schools that could be operated in the state and limited any single district to no more than ten such schools. The most recent information from the California Department of Education indicates that there are 163 charter schools as a result of the State Board of Education's willingness to waive the Education Code limit.

As a result of legislation signed this year, AB 544 (Lempert), effective January 1, 1999, substantial changes will be made to the Charter School Act. Among the most important changes are those which raise the cap on the number of charter schools that can be created (from 100 to 250 in 1998-1999 and an additional 100 each year thereafter), revise the charter petition signing process, provide for an appeal of a charter rejection by the local governing board and assure charter schools of a "fair share" of the education funding sources.

The 1992 charter school legislation was silent on the issue of qualifications for teachers and other educators who serve in charter schools. Such matters were left to the chartering body to define within the language of the charter. AB 544 alters substantially the permissive nature of the previous statute. Education Code Section 47605 (l) has been added as follows:

*Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by the chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, noncollege preparatory courses.*

This amendment was not sought by the Commission or by advocates for charter schools, but was the result of legislative compromises. In order to gain such concessions as removing the arbitrary cap on the number of charter schools, the negotiators accepted the teacher qualifications language. The new requirements are of serious concern to many within the charter school community.

Commission staff has sought to understand the potential problems for some charter schools created by the new language of the statute. In that effort staff members have met with staff from the California Department of Education, the Charter Schools Development Center and appeared before the State Superintendent of Instruction's Advisory Committee on Charter Schools.

Staff in the California Department of Education indicate that approximately 30% of existing charter schools do not require their teachers to hold documents issued by the Commission. In some cases, teachers who may be Waldorf or Montessori trained do not hold baccalaureate degrees from regionally accredited colleges or universities. In other schools there are individuals from the fine arts or technology fields who may or may not possess acceptable degrees for state certification, but who are willing to provide part-time instruction as they continue to work in their primary vocations. It is these schools and individuals who are most impacted by subsection (l) of §47605.

### [Staffing Issues for Charter Schools](#)

It seems clear from the first sentence of subsection (l) that only teachers, not other education personnel in charter schools, will be required to hold a teaching credential or emergency permit issued by the Commission. The phrase "or other document," in the staff opinion, means that charter schools will also be eligible to apply for waivers of specific credential requirements just as other school employers now do.

As noted above, in some charter schools teachers do not hold credentials and in many cases may have no intention of pursuing state certification. If the intent of the charter school is to operate as a Waldorf or Montessori school within the public school system, it seems unlikely that the trained teachers would have the desire to complete requirements for a Multiple or Single Subject Credential. In fact, the chartering authority would deem the Waldorf or Montessori training essential for the mission of the school and might consider training in a Commission-approved IHE credential program as irrelevant or even inimical to the philosophy and purpose of the school. The Commission's policies and regulations require all teachers on emergency permits or credential waivers to make progress toward state certification.

Some charter schools rely on the willingness of individuals with identified talents and expertise to share those with the students of the school. In certain districts, for example, a charter school developed to promote student knowledge and use of technology may have the part-time services of talented individuals from the technology industries in the region. Similarly, talented musicians and visual artists in other districts may serve to instruct students in the fine arts in charter schools with such an emphasis. There are charter schools designed to meet the needs of so-called "at risk" students. In such schools you may find instructors whose expertise is derived from work in social service fields, some of whom may not have baccalaureate degrees. While such individuals may be eligible for emergency permits or may be able to obtain credential waivers through the employing school, it remains to be seen whether they will agree to meet the requirements necessary for the re-issuance of such documents on an annual basis. Those requirements include enrolling in a credential program and the completion of

college courses.

### Assignment Monitoring in Charter Schools

Sentence two of §47605 (l) provides that each charter school maintain on file the documents (credential, permit or waiver) held by teachers that authorize them to perform specific duties in the school. This is a departure from the Education Code requirement for other certificated employees who must file their documents with the county offices of education. Failure to do so in such case means payroll warrants are not issued until the filing of the appropriate document takes place. Additionally, where the Education Code gives county superintendents of schools specific authority to regularly monitor the assignments of certificated employees in school districts, §47605 (l) provides that documents on file in charter schools "shall be subject to periodic inspection by the chartering authority." The imprecision of this language will undoubtedly result in wide variations of interpretation and enforcement.

The Commission staff has concluded that the language of sentence two does not affect the Commission's responsibilities for assignment monitoring and reporting. There appears to be no requirement that the chartering authority report the results of its "periodic" inspections to the county superintendents of schools or the Commission. Information on staffing and assignments in charter schools will not be a part of the annual assignment reports submitted to the Commission by county superintendents. The statute gives the chartering authority the ability to rescind charters under certain conditions, whether failure to comply with the teacher qualification section of the Education Code would result in such action remains to be seen. One of the policy questions that may need discussion in the long term is whether or not the state, having established qualifications for teachers serving in charter schools, should bring such schools under the existing assignment statutes.

### Flexibility for Charter Schools

The final sentence of §47605 (l) expresses the "intent" of the Legislature that flexibility be given to charter schools with regard to "noncore, noncollege preparatory courses." Staff is of the opinion that the flexibility intended by the Legislature is meant to apply to the chartering authority as it inspects documents and assignments in individual charter schools and to the Commission in the exercise of its authority to grant credentials, permits and waivers. Although intent statements are not binding, they do give an important indication of the context within which the negotiated language of the law was reached. In this case, the intent statement strongly suggests the spirit in which the language of the law should be carried out.

It seems clear, however, that the Commission has little or no flexibility when making decisions about awarding credentials to individual applicants. The Education Code is similarly restrictive when requests for emergency permits are received and reviewed. It is in the area of its waiver granting authority that the Commission would appear to have some degree of flexibility that could be applied to charter school staffing.

The Commission is not bound by statute to issue waivers of credential requirements for only one year or less. The statute does not distinguish between waivers considered for areas of teaching shortages and non-shortages, although the Commission's policies give appropriate attention to this distinction. Such distinctions, however, appear to have little relationship to the staffing of charter schools. The waiver authority (§44225 [m]) specifically allows the Commission to grant waivers to "Allow local school districts or schools to implement an education reform or restructuring plan." Waiver requests under this provision in the statute have been received on only two occasions during the four years in which the Commission has exercised the waiver authority. The Commission may want to examine this provision of the statute, and other waiver policies and regulations in light of the intent of the Legislature that flexibility be given to charter schools.

### Definitions Affecting Charter Schools

The Internet web site of the Charter Schools Development Center contains highlights of the changes to the charter school legislation brought about by the successful passage of AB 544. Under the section on teacher qualifications the editor's note points out that the new statute does not define "what constitutes a teacher in charter schools" or what are "noncore" and "noncollege preparatory" courses. The Commission has received through e-mail a similar request for definitions of these terms from a charter school director. In that message, the correspondent referred to the use of "facilitators" who work with the parent and the child in that charter school and asked whether such individuals would be required to hold credentials or other Commission documents. It is essential that the Commission establish clear definitions of "teacher" and "non-core, non-college courses" to guide the implementation of its responsibilities under §47605 (l).

### Recommendations for Implementation of AB 544

In this section the staff recommends that the Commission take the described action in the identified categories.

#### 1). Consideration of waiver requests:

- The governing body of a charter school be eligible to request waivers of credential requirements provided that notice of such intent is posted for public review a minimum of 72 hours prior to submitting such request;
- the Commission approve waiver requests to June 30, 1999 for currently employed teachers in charter schools without conditions, but inform each recipient of the regulations and criteria that will govern future waiver requests; and
- the Commission set the fee for waivers considered to June 30, 1999 at one-half that of the regular fee.

**Rationale:** Unlike non-charter schools in school districts, charter schools are not governed by the elected school boards, but have their own governing bodies. Title 5 regulations require school boards to act on waiver applications in a public session, but make allowance for waivers from county offices of education and non-public schools and agencies that do not operate through public meetings of school boards. Section 80122 (j) provides for a 72-hour posting of the intent to file a waiver request in these circumstances.

Charter school teacher are caught in a bind not of their own making when at mid-year they will be required to come under new requirements affecting their continued employment. The staff proposals related to the waiver review process and the required fee are intended to provide a reasonable implementation of the law. The proposals, limited to the first six months of the year, would enable charter schools and individuals within them to have time to decide their directions for the succeeding school year when they would come under the waiver policies that affect teachers in non-charter schools or under any new policies that the Commission may adopt.

2). Consideration of Emergency Permit Applications:

- Individuals currently employed in charter schools who meet the requirements for an appropriate emergency permit be given the option to attain a permit or request a waiver effective through June 30, 1999; and
- that charter schools be exempted from the requirement to submit Declarations of Need for Fully Qualified Educators prior to Commission consideration of emergency permit applications.

**Rationale:** The primary purpose of a Declaration of Need is to enable local governing boards and interested citizens to understand some of the staffing problems that confront the district. Declarations of Need must be adopted in a public meeting so that local policy and political matters related to such declarations may be fully discussed. There is no comparable forum in charter schools, nor are the issues of staffing related to need and shortages as in school districts.

3). Consideration of Unresolved Issues:

- Staff be authorized to work with representatives of charter schools, the California Department of Education, and organizations representing teachers, administrators and school boards to examine such issues as the definition of important terms and the long-term staffing problems facing some charter schools;
- staff be directed to review the Commission's waiver authority, existing policies and regulations with specific attention to staffing in charter schools; and
- staff be required to report back to the Commission in sufficient time for all unresolved issues to be clarified before July 1, 1999

**Rationale:** There are immediate issues that must be resolved before January 1, 1999 so that teachers and directors in charter schools may take action to resolve staffing problems for the balance of the 1998-99 school year. Recommendations one and two above are intended to resolve immediate staffing needs only. Issues with long-term implications can not be resolved without additional consultation and more intensive review by the Commission.



[Back to the Top](#) |

[Back to November 1998 Agenda](#) |

[Back to Agenda Archives](#) |

[Return to About CTC](#) |





# California Commission on Teacher Credentialing

**Meeting of:** November 5-6, 1998

**Agenda Item Number:** C&CA-5

**Committee:** Credentials and Certificated Assignments

**Title:** Proposed Plan to Implement Provisions of AB 1620 Related to Experienced Teachers from Outside of California

✓ Action

**Prepared by:** Robert L. Salley, Director  
Certification, Assignment and Waivers Division

---

## Proposed Implementation of AB 1620 Related to Experienced Teachers from Outside of California

October 23, 1998

### Summary

Legislation passed in 1998 as an urgency measure requires the Commission to issue preliminary teaching credentials to teachers credentialed outside of California who meet prescribed conditions including years of experience. Prior to implementation of these provisions of the statute, there are specific policy matters the Commission must resolve. This report identifies the policies and recommends actions for the Commission's consideration.

### Fiscal Impact

There will be minor costs to the Commission for communications that describe the way AB 1620 will be implemented for experienced out-of-state teachers. There may be some loss of revenue to the Commission as some experienced out-of-state teachers will receive five-year rather than two-year preliminary credentials. We do not know how many teachers who come to California from other states already have substantial teaching experience. The loss of revenue may be offset by an increased number of experienced teachers being attracted to employment in California as a result of the elimination of such requirements as the subject matter examination and the fifth year of study.

### Policy Issues to Resolved

Should the Commission take the actions recommended by staff to address the policy issues identified below? Are there other policy issues to be considered that have not been identified?

### Recommendation

That the Commission approve the various actions recommended below for the implementation of provisions of AB 1620.

### Background

During the 1998 session of the Legislature, the Commission successfully sponsored AB 1620 authored by Assemblyman Jack Scott. The purpose of the legislation, now in effect as an urgency statute, was to help ease the critical need for teachers in California by making it easier for some teachers in some states outside of California to obtain certification here. There are two major provisions of the new legislation: the first provides the possibility for entering into reciprocity agreements with other states, while the second eliminates a number of California credential requirements for experienced teachers.

The efforts to implement the reciprocity provisions of the legislation is being conducted as a joint staff effort of the Professional Services and Certification, Assignment and Waivers Divisions of the agency. The results of those activities will be brought to the Commission in later agenda reports. This report focuses on those provisions of AB 1620 that relate to teachers with three or more years experience or five or more years of experience teaching in states other than California.

Listed below are the requirements identified in the new statute that the five-year and three-year experienced teachers from outside of California must meet to be credentialed in this state.

### **Credential Requirements**

#### *Five-Year Preliminary Multiple or Single Subject Teaching Credential Based on FIVE YEARS of Teaching Experience:*

- minimum of five years of full-time teaching in the subject of the credential sought,
- bachelor's degree from a regionally accredited college or university,
- for the Single Subject: academic major in the subject area of the credential sought,
- teacher preparation at a regionally accredited college or university,
- valid corresponding elementary or secondary credential from another state,
- evidence of rigorous performance evaluations on which the applicant received a rating of satisfactory or better, and
- passage of CBEST (one-year nonrenewable credential available).

#### *Professional Clear Multiple or Single Subject Teaching Credential Based on FIVE YEARS of Teaching Experience:*

- possession of the five-year preliminary based on five years of teaching experience, and
- completion of 150 clock hours of activities that contribute to his or her competence, performance, and effectiveness in the education profession, and that assist the applicant in meeting or exceeding standards for professional preparation established by the Commission.

#### *Three-Year Preliminary Multiple or Single Subject Teaching Credential Based on THREE YEARS of Teaching Experience*

- minimum of three years of full-time teaching in the subject of the credential sought,
- bachelor's degree from a regionally accredited college or university,
- for the Single Subject: an academic major in the subject area of the credential sought,
- teacher preparation at a regionally accredited college or university,
- valid corresponding elementary or secondary credential from another state,
- evidence of rigorous performance evaluations on which the applicant received a rating of satisfactory or better,
- passage of CBEST (one-year nonrenewable credential available), and
- offer of employment in California implied by the renewal requirement which specifies completion of an induction program.

#### *Professional Clear Multiple or Single Subject Teaching Credential Based on THREE YEARS of Teaching Experience*

- possession of the three-year preliminary based on three years of experience, and
- completion of one of the following:
  - a program of beginning teacher support and assessment under BTSA or
  - an alternative program of beginning teacher induction that the Commission determines, in collaboration with the Superintendent of Public Instruction, meets state standards for teacher induction.

#### *Five-Year Preliminary Level I Education Specialist Instruction Credential Based on FIVE YEARS of Teaching Experience*

- minimum of five years of full-time teaching in the disability area of the credential sought,
- bachelor's or higher degree from a regionally accredited college or university,
- professional preparation program in the requested disability area at a regionally accredited college or university,
- valid corresponding special education credential from another state,
- evidence of rigorous performance evaluations on which the applicant received a rating of satisfactory or better,
- passage of CBEST (one-year nonrenewable available), and
- offer of employment in California implied by the renewal requirement which specifies completion of the level II program that includes induction.

#### *Professional Clear Level II Education Specialist Instruction Credential Based on FIVE YEARS of Teaching Experience*

- possession of the five-year preliminary based on five years of experience, and
- completion of all requirements for the level II credential: level II program, two years of special

education experience on the preliminary level I credential, health education, and computers in education.

### **Policy Issues to be Resolved**

Although the statute is clear about the requirements out-of-state teachers must meet, there are policy issues that the Commission should resolve before implementation of AB 1620 can take place. In the section below the staff has identified issues that need resolution.

*Teaching experience:* The statute sets forth the requirement that out-of-state teachers must have a given number of years of teaching experience to qualify for California certification. It is silent on some aspects of that experience. For example, there is no reference to the recency of such experience. There is no requirement that the experience be gained within a defined period of time. The intent of the statute appears to require that all of the qualifying experience be earned outside of California. Some teachers may not have attained the requisite number of years experience teaching in other states, but may acquire them if employment in a California school district is added to the years taught out of state. An associated issue is whether all or a part of the teaching experience may be earned in a non-public school.

AB 1620 specifies that the teaching experience must be "full-time". There will be questions about what constitutes "full-time" teaching or whether part-time teaching extended over more years will qualify as equivalent to full-time. Additionally, an applicant's teaching experience must be verified. What is the appropriate manner in which to make such verification? The Commission should establish clear policies related to the teaching experience that qualifies an applicant under the provisions of the new legislation.

*Performance evaluation:* The statute calls for evidence of "rigorous" performance evaluations of the out-of-state teacher that resulted in ratings of satisfactory or higher. What constitutes a "rigorous" performance evaluation, how many of such evaluations should be submitted and when should they have taken place? It would seem appropriate that the Commission identify specific performance criteria that must be a part of the evaluations submitted by the out-of-state applicant. Since performance evaluations are one way to judge the growth of a teacher, it seems reasonable to require the submission of evaluations conducted in the most recent years of the applicant's experience. The legitimacy of the evaluation documents submitted should be validated in some way.

*Out-of-state teachers in California:* There are currently teachers employed in California school districts who were credentialed in other states and attained in those states the requisite three or five years of experience called for in AB 1620. Many of these teachers have not completed California requirements for the professional clear credential. The statute does not exclude such teachers from eligibility for certification provided that they meet all of the requirements set forth in AB 1620 as defined by the Commission. One issue the Commission might consider is extending the "rigorous" performance evaluation required by the law to include both out-of-state and in-state teaching experience.

*Academic Majors:* Out-of-state applicants for a single subject teaching credential must have completed an academic major in the subject area of the teaching credential that they seek. California's single subject credentials do not always correspond to university majors. In some single subject categories the teaching authorizations are exceedingly broad and cover subjects that are not central to the primary discipline taught. One obvious example of this problem is the Single Subject Credential in English that includes such subjects as journalism, speech and drama. The subjects most frequently taught in the schools are literature and composition. The Commission's program standards and approved subject examination also emphasize deep knowledge of these two disciplines with relatively minor attention being paid to journalism, oral communication and drama.

The social sciences provide an equally challenging problem. History is the predominantly taught subject in departmentalized classes in secondary schools, although government and geography are prominent and required. Economics is a required course for high school graduation, but is not a dominant discipline in the secondary grades. The other disciplines of anthropology, political science, psychology and sociology play lesser roles in the social science curricula in public schools.

It is important that the Commission identify the academic majors that meet the subject matter requirement for single subject credentials.

*Professional Growth Activities:* A teacher from out-of-state who meets the requirements for a five-year preliminary multiple or single subject credential will be required to complete 150 clock hours within a five-year period of "activities that contribute to his or her competence, performance, and effectiveness in the education profession, and that assist the applicant in meeting or exceeding standards for professional preparation established by the commission." These teachers have not been prepared under standards adopted in this state that are deemed to be important for teaching effectively in our public schools. The 150-clock-hour requirement provides an opportunity for the Commission to identify activities within areas of professional preparation considered most critical that these teachers must meet before a professional clear teaching credential is awarded.

**Support and Assessment of Three-Year Teachers:** AB 1620 makes an important distinction between teachers who have five or more years of teaching experience and those who have either three or four years of experience. Those with the lesser experience are treated as teachers still in training. These teachers will be issued three-year preliminary credentials, but will be required to complete an approved Beginning Teacher Support and Assessment (BTSA) program or an "alternative program of beginning teacher induction" that meets state standards for teacher induction. This requirement raises two major problems. First, there are 637 schools districts currently in BTSA programs, although not all beginning teachers in those districts are in the programs. There are well over 350 districts not covered by BTSA. There are currently no approved alternative programs of teacher induction. Out of state teachers with three years of experience who meet the requirements of AB 1620 for issuance of a three-year preliminary credential, but who are not offered employment in a district with an approved BTSA program would not be able to complete the professional clear requirements.

The second problem concerns the appropriateness of teacher induction programs for teachers with three or four years of experience. BTSA programs are designed for first and second year teachers as a part of their ongoing development as new teachers. Teachers from other states with three or four years of experience may have distinctively different development needs than those new teachers the induction programs are designed to serve. This issue will need greater exploration by the Commission and the California Department of Education in conjunction with BTSA directors.

**Special Education Teachers:** Out of state special education teachers who meet the experience requirements under AB 1620 are eligible for five-year preliminary Level I specialist instruction credentials, but will be required to meet the Level II requirements for the professional clear credential. The Level II program requires the special education teacher to be employed by a school district or county office of education. Special education teachers who apply for the Level I credential, but who are not employed or do not have an offer of employment from a California school district will not be eligible to begin the Level II program.

In the following section staff has presented a series of recommendations that respond to the policy issues that should be resolved before implementation of AB 1620 can take place.

### **Recommendations for the Implementation of AB 1620**

Staff recommends that the Commission approve the following actions designed to implement the provisions of AB 1620 for experienced out-of-state credentialed teachers.

- **Experience:** All experience used to qualify under the provisions of AB 1620 must be gained in public schools in states other than California while serving on a valid teaching credential.
- **Experience Verification:** Teaching experience must be verified by the superintendent or the assistant superintendent or director of personnel on the official letterhead of the district or districts in which the teacher was previously employed.
- **Full-Time Experience:** All experience submitted must be for full-day teaching, no part-time or combination of teaching and other school employment will be accepted.
- **Rigorous Performance Evaluations:** Copies of evaluations of the teacher's performance in at least two of the years of teaching must be submitted with a verification of their authenticity given in writing by a personnel officer in the district in which the evaluation took place. At least one of the evaluations must have been conducted within the last two years of teaching. Evaluation ratings must be satisfactory or better.
- **Evaluation Content:** The teaching effectiveness areas in which the applicant was evaluated must include, but not be limited to 1) the use of teaching strategies that motivate all students to engage in the learning process, 2) the ability to establish and maintain high standards for student behavior, 3) a demonstration of deep knowledge of the subject being taught and the use of appropriate instructional strategies that promote student understanding, and 4) an ability to plan and implement a sequence of appropriate instructional activities.
- **Out-of-state teachers employed in California:** A teacher already employed in California on a valid credential issued by the Commission who meets all applicable provisions of AB 1620 may apply for a preliminary teaching credential provided that he or she submits a performance evaluation from the employing California school district consistent with the conditions described for evaluations received out of state.
- **Academic Majors:** Applicants for specific Single Subject credentials must have majors in the academic fields identified below or in closely related subjects acceptable to the Commission.
  - Agriculture: agribusiness, animal science, crop science, dairy science, natural resources management, horticulture, or soil science
  - Art: art history or a studio art
  - Business: accountancy, business administration, finance or marketing

- English: composition or literature
  - Health: health science or public health
  - Home Economics: foods and nutrition
  - Industrial and Technology Education: industrial technology
  - Mathematics: mathematics
  - Music: instrumental, vocal or combined
  - Physical Education: kinesiology or physical education
  - Science: biology, chemistry, earth science, ecology, geology, or physics
  - Social Science: geography, government or history. An applicant with a major in one of the disciplines of anthropology, economics, political science, psychology or sociology, must in addition have a minor in geography, government or history.
- [150 Clock Hour Requirement](#): Teachers with five years of experience issued preliminary multiple or single subject credentials under the provisions of AB 1620 must complete 150 hours of activities described by the Commission consistent with the "California Standards for the Teaching Profession."
  - [Support and Assessment Program Requirement](#): Only those out-of-state teachers with three years of experience who are employed by or have offers of employment from districts with approved Beginning Teacher Support and Assessment (BTSA) programs may be issued three-year preliminary multiple or single subject credentials under the provisions of AB 1620. At such time when the Commission has approved alternative programs of beginning teacher induction, this restriction will be modified appropriately.
  - [Special Education Teachers](#): The Commission shall issue preliminary Level I specialist instruction credentials to special education teachers from outside of California who meet the provisions of AB 1620 and are employed or have been offered employment by a California school district.



[Back to the Top](#) |

[Back to November 1998 Agenda](#) |

[Back to Agenda Archives](#) |

[Return to About CTC](#) |





# California Commission on Teacher Credentialing

**Meeting of:** November 5-6, 1998

**Agenda Item Number:** C&CA-6

**Committee:** Credentials and Certificated Assignments

**Title:** Proposed Amendments to Title 5 Regulations Related to Specific Specialist Credentials and Substitute Teaching

✓ Action

**Prepared by:** Mark McLean  
Program Analyst

---

## Changes to California Code of Regulations, Title 5, Concerning Substitute Teaching Permits and Specific Specialist Teaching Credentials

October 23, 1998

### Summary

This item is a follow up to proposals presented at the August Commission meeting which discussed possible changes to regulations governing authorizations for some teaching and service credentials. In response to the Commission's approval of the plan, this item presents proposed regulations for substitute teaching and some Specialist Teaching Credentials.

### Fiscal Impact

There will be a minor cost to the agency related to disseminating the information to school districts and county offices of education and holding a public hearing. Such costs are contained within the budget of the Certification, Assignment and Waivers Division.

### Policy Issues to be Resolved

Should the Commission define more specifically the credential holders who may serve as day-to-day substitute teachers? Should the Commission define more specifically the requirements and authorizations for specialist teaching credentials?

### Recommendation

Staff recommends that the Commission approve the proposed additions to the regulations for purposes of beginning the rulemaking file for submission to the Office of Administrative Law and scheduling a public hearing.

### Background

Education Code Section 44225(e) requires the Commission to "determine the scope and authorization of credentials, to ensure competence in teaching and other educational services, and establish sanctions for the misuse of credentials and the misassignment of credential holders." In carrying out these duties, staff has found that some sections of the Education Code and Title 5 regulations pertaining to assignment require clarification in order to eliminate confusion or questionable interpretation among employers. At the August, 1998 meeting the Commission approved a plan to clarify in regulations those areas pertaining to assignment that are open to misinterpretation or which require updating. The first phase of this process began with the approval of proposed regulations related to Pupil Personnel Services Credentials at the October meeting. This item presents proposed regulation changes related to substitute teaching authorizations and Specialist Instruction Teaching Credential requirements and authorizations.

## Day-to-Day Substitute Teaching Authorization

Staff proposes three additions to Title 5 Regulations. First, as a result of a significant increase in the need for day-to-day substitute teachers in recent years the Commission adopted a policy in March, 1997 to clarify the types of certification which allow service as a substitute. The policy states that any credential for which the requirements are higher than those for the Emergency 30-Day Substitute Teaching Permit (bachelor's degree and passage of CBEST) authorize the holder to substitute teach. This allows employers to assign individuals holding valid documents requiring more than a 30-Day Substitute Permit to substitute without requiring the individual to apply for the permit. Individuals who obtained full certification prior to the implementation of the CBEST are exempted from that requirement for purposes of substituting. Staff recommends that Title 5 Section 80025.3(a) be added to regulations in order to reflect this policy.

In 1996 the Commission issued a Credential Information Alert at the request of school districts and county offices of education in an effort to clarify whether a long-term Emergency Multiple or Single Subject Teaching Permit also authorized the individual to perform day-to-day substitute teaching. The pertinent language of the Alert stated the following:

*An individual may serve as a long term substitute and a day to day substitute at the same time. After the long term substitute service is completed one may also serve as a day-to-day substitute for the remaining valid period of the permit. The Commission considers these to be appropriate assignments because the individual who holds an Emergency Multiple or Single Subject Teaching Permit has met a higher standard than that which is required to serve as a day to day substitute. This is an assignment option available to employers if they choose to use it. There is no requirement that school districts allow persons who hold Emergency Multiple or Single Subject Teaching Permits to serve as substitutes.*

*Service is not restricted to the school district listed on the document but is restricted to service in a district in the county listed on the document. No release is required from the original district before the teacher may be employed in a new district within the county. Should the individual wish to serve as a day-to-day substitute in another county, he or she would have to submit an application and appropriate fee for an Emergency 30-Day Substitute Teaching Permit even though their long-term Emergency Multiple or Single Subject Teaching Permit may still be valid.*

Staff proposes that Sections 80025.3(b) be added to Title 5 regulations to reflect this policy and include holders of the One-Year Non Renewable Teaching Credential and the Emergency Career Substitute Teaching Permit in this authorization. The One-Year Non Renewable Credential is available to individuals who have completed a full teacher preparation outside of California and the Career Substitute Teaching Permit is available to individuals who have substituted in a particular district for at least three years and authorizes service for 60 days in classes within that district. Both of those documents are restricted to the employer through which the certification is requested.

Third, Education Code Sections 56061 and 56062, which are under the authority of the Department of Education, limit substitute teaching in special education assignments to 20 days per classroom rather than the 30 days allowed for the regular classroom. Staff proposes that Title 5 Section 80025.4 be added to regulations to reflect that limitation for documents issued under the authority of the Commission.

The affected Title 5 sections with the proposed changes follow. The proposed additions to the sections are underlined.

### Title 5 §80025.3 . Day to Day Substitute Teaching.

- (a) The holder of a valid California teaching or services credential for which the requirements are equal to or greater than those listed in Title 5 Section 80025(a)(1) and (2) for an Emergency 30-Day Substitute Teaching Permit is authorized to serve as a substitute in any classroom; preschool, kindergarten and grades 1-12, inclusive; or in classes organized primarily for adults. However, the holder shall not serve as a substitute for more than 30 days for any one teacher during the school year. Holders of teaching or services credentials issued prior to February 1, 1983 will not be held to the requirement in Education Code §44252(b) if the requirements for the credential included a bachelor's degree and a professional preparation program.
- (b) The holder of a permit or credential issued according to the provisions of Title 5 Section 80023.2, 80025.1 or 80071.4 (c) may, in addition to the authorization of the permit, serve as a substitute in any classroom; preschool, kindergarten and grades 1-12, inclusive; or in classes organized primarily for adults during the valid period of the permit in any district within the county listed on the document. However, the holder shall not serve as a substitute for more than 30 days for any one teacher during the school year.
- (c) The provisions of this section do not apply to teachers who hold documents issued under the provisions of Education Code Sections 44305, 44321 or 44325.

### §80025.4. Substituting in a Special Education Classroom.

- (a) The holder of a document authorizing day-to-day substitute teaching according to the provisions of Title 5 Sections 80025 and 80025.3 is authorized to serve as a substitute in a special education classroom; preschool, kindergarten and grades 1-12, inclusive; or in classes organized primarily for adults. However, the holder shall not serve as a special education substitute for more than 20 days for any one teacher during the school year.

## Specialist Credentials

While there are regulations for the Reading and Language Arts, Bilingual, and Special Education Specialist Instruction Credentials, there are none for the remaining five Specialist Instruction Credential areas of Early Childhood Education, Agriculture, Health Science, Gifted, and Mathematics. With the exception of the Agricultural Specialist Instruction Credential, these credentials are issued in very small numbers. Currently the requirements for these documents are not specified in regulations. Therefore, staff proposes that Title 5 regulations be amended to establish the requirements for those documents for individuals who complete programs in or outside of California. The proposed requirements for each document include possession of a prerequisite teaching credential and completion of a preparation program in the specific subject area.

Authorizations for these documents also need to be included in regulations. One area that has confused the field is the fact that the Commission also issues Single Subject Teaching Credentials in Agriculture, Health Science, and Mathematics. As the preparation programs for these credentials require course work beyond that of the basic teaching credential, the additional specialized training would be appropriate to allow individuals obtaining the credential to develop programs and curriculum and provide staff development in the area of specialization. Staff proposes that Title 5 regulations be added to establish authorizations for these documents that will clearly specify what the specialist credential in these fields authorize that the single subject credentials do not.

Staff proposes that Title 5 regulations be amended to include the following information:

- Section 80067 specifies the requirements, term and authorization for a professional clear Early Childhood Education Specialist Instruction Credential;
- Section 80068 specifies the requirements, term and authorization for a professional clear Agriculture Specialist Instruction Credential;
- Section 80069 specifies the requirements, term and authorization for a professional clear Health Science Specialist Instruction Credential;
- Section 80069.1 specifies the requirements, term and authorization for a professional clear Gifted Specialist Instruction Credential;
- Section 80070 specifies the requirements, term and authorization for a professional clear Mathematics Specialist Instruction Credential;
- Subsection (a) of each proposed regulation specifies the requirements for individuals completing their preparation program in California;
- Subsection (b) of each proposed regulation specifies the requirements for individuals who complete an equivalent preparation program outside of California;
- Subsection (c) of each proposed regulation specifies the term of each credential; and
- Subsection (d) of each proposed regulation specifies the authorization for each credential.

The affected Title 5 sections with the proposed changes follow. The proposed additions to the sections are underlined.

**§80067. Specific Requirements for the Professional Clear Early Childhood Education Specialist Instruction Credential.**

- (a) The minimum requirements for the professional clear Early Childhood Education Specialist Instruction Credential for applicants who complete a professional preparation program in California shall include (1) through (3):
- (1) possession of a valid California Multiple Subject, Standard Elementary or General Elementary Teaching Credential;
  - (2) completion of a post baccalaureate professional preparation program accredited by the Committee on Accreditation for the Early Childhood Education Specialist Instruction Credential, including successful completion of supervised student teaching appropriate to the specialization area; and
  - (3) the recommendation from a regionally accredited institution of higher education that has a program accredited by the Committee on Accreditation in the professional clear credential sought.
- (b) The minimum requirements for the professional clear Early Childhood Education Specialist Instruction Credential for applicants who complete a professional preparation program outside California shall include (1) and (2). Applicants may apply directly to the Commission for the professional clear Early Childhood Education Specialist Instruction Credential under this section:
- (1) possession of a valid California Multiple Subject, Standard Elementary or General Elementary Teaching Credential; and
  - (2) completion of a post baccalaureate professional preparation program comparable to a program accredited by the Committee on Accreditation for the Early Childhood Education Specialist Instruction Credential, including successful completion of supervised student teaching appropriate to the specialization area but taken outside California. The program must be from a regionally accredited institution of higher education and approved by the appropriate state agency where the course work was completed.
- (c) Term.  
The professional clear Early Childhood Education Specialist Instruction Credential issued on the basis of the completion of all requirements shall be dated per Title 5 Section 80553.
- (d) Authorization.  
The Early Childhood Education Specialist Instruction Credential authorizes the holder to develop and coordinate curriculum, develop programs and deliver staff development including age appropriate teaching methodologies for child development programs and early childhood education programs in grades three and below which are coordinated by school districts or county offices of education. This credential also authorizes teaching courses in child development in grades twelve and below and in classes organized primarily for adults.

**§80068. Specific Requirements for the Professional Clear Agriculture Specialist Instruction Credential.**

- (a) The minimum requirements for the professional clear Agriculture Specialist Instruction Credential for applicants who complete a professional preparation program in California shall include (1) through (3):
- (1) possession of a valid California Single Subject Teaching Credential in Agriculture, Standard Secondary Teaching Credential in Agriculture Science or Special Secondary Credential in Vocational Agriculture;
  - (2) completion of a post baccalaureate professional preparation program accredited by the Committee on Accreditation for the Agriculture Specialist Instruction Credential, including successful completion of supervised student teaching appropriate to the specialization area; and
  - (3) the recommendation from a regionally accredited institution of higher education that has a program accredited by the Committee on Accreditation in the professional clear credential sought.
- (b) The minimum requirements for the professional clear Agriculture Specialist Instruction Credential for applicants who complete a professional preparation program outside California shall include (1) and (2). Applicants may apply directly to the Commission for the professional clear Agriculture Specialist Instruction Credential under this section:
- (1) possession of a valid California Single Subject Teaching Credential in Agriculture, Standard Secondary Teaching Credential in Agriculture Science or Special Secondary Credential in Vocational Agriculture; and
  - (2) completion of a post baccalaureate professional preparation program comparable to a program accredited by the Committee on Accreditation for the Agriculture Specialist Instruction Credential, including successful completion of supervised student teaching appropriate to the specialization area but taken outside California. The program must be from a regionally accredited institution of higher education and approved by the appropriate state agency where the course work was completed.
- (c) Term.  
The professional clear Agriculture Specialist Instruction Credential issued on the basis of the completion of all requirements shall be dated per Title 5 Section 80553.
- (d) Authorization.  
The Agriculture Specialist Instruction Credential authorizes the holder to develop and coordinate curriculum,

develop programs and deliver staff development for agriculture education programs coordinated by school districts or county offices of education.

### **§80069. Specific Requirements for the Professional Clear Health Science Specialist Instruction Credential.**

(a) The minimum requirements for the professional clear Health Science Specialist Instruction Credential for applicants who complete a professional preparation program in California shall include (1) through (3):

- (1) possession of a valid basic California teaching credential as defined in Education Code Section 44203(e);
- (2) completion of a post baccalaureate professional preparation program accredited by the Committee on Accreditation for the Health Science Specialist Instruction Credential, including successful completion of supervised student teaching appropriate to the specialization area; and
- (3) the recommendation from a regionally accredited institution of higher education that has a program accredited by the Committee on Accreditation in the professional clear credential sought.

(b) The minimum requirements for the professional clear Health Science Specialist Instruction Credential for applicants who complete a professional preparation program outside California shall include (1) and (2). Applicants may apply directly to the Commission for the professional clear Health Science Specialist Instruction Credential under this section:

- (1) possession of a valid basic California teaching credential as defined in Education Code Section 44203(e); and
- (2) completion of a post baccalaureate professional preparation program comparable to a program accredited by the Committee on Accreditation for the Health Science Specialist Instruction Credential, including successful completion of supervised student teaching appropriate to the specialization area but taken outside California. The program must be from a regionally accredited institution of higher education and approved by the appropriate state agency where the course work was completed.

(c) Term.

The professional clear Health Science Specialist Instruction Credential issued on the basis of the completion of all requirements shall be dated per Title 5 Section 80553.

(d) Authorization.

The Health Science Specialist Instruction Credential authorizes the holder to develop and coordinate curriculum, develop programs, and deliver staff development for health science education programs coordinated by school districts and county offices of education.

### **§80069.1. Specific Requirements for the Professional Clear Gifted Specialist Instruction Credential.**

(a) The minimum requirements for the professional clear Gifted Specialist Instruction Credential for applicants who complete a professional preparation program in California shall include (1) through (3):

- (1) possession of a valid basic California teaching credential as defined in Education Code Section 44203(e);
- (2) completion of a post baccalaureate professional preparation program accredited by the Committee on Accreditation for the Gifted Specialist Instruction Credential, including successful completion of supervised student teaching appropriate to the specialization area; and
- (3) the recommendation from a regionally accredited institution of higher education that has a program accredited by the Committee on Accreditation in the professional clear credential sought.

(b) The minimum requirements for the professional clear Gifted Specialist Instruction Credential for applicants who complete a professional preparation program outside California shall include (1) and (2). Applicants may apply directly to the Commission for the professional clear Gifted Specialist Instruction Credential under this section:

- (1) possession of a valid basic California teaching credential as defined in Education Code Section 44203(e); and
- (2) completion of a post baccalaureate professional preparation program comparable to a program accredited by the Committee on Accreditation for the Gifted Specialist Instruction Credential, including successful completion of supervised student teaching appropriate to the specialization area but taken outside California. The program must be from a regionally accredited institution of higher education and approved by the appropriate state agency where the course work was completed.

(c) Term.

The professional clear Gifted Specialist Instruction Credential issued on the basis of the completion of all requirements shall be dated per Title 5 Section 80553.

(d) Authorization.

The Gifted Specialist Instruction Credential authorizes the holder to develop and coordinate curriculum, develop programs and deliver staff development for gifted education programs coordinated by school districts and county offices of education.

### **§80070. Specific Requirements for the Professional Clear Mathematics Specialist Instruction Credential.**

(a) The minimum requirements for the professional clear Mathematics Specialist Instruction Credential for applicants who complete a professional preparation program in California shall include (1) through (3):

- (1) possession of a valid basic California teaching credential as defined in Education Code Section 44203(e);

- (2) completion of a post baccalaureate professional preparation program accredited by the Committee on Accreditation for the Mathematics Specialist Instruction Credential, including successful completion of supervised student teaching appropriate to the specialization area; and
- (3) the recommendation from a regionally accredited institution of higher education that has a program accredited by the Committee on Accreditation in the professional clear credential sought.
- (b) The minimum requirements for the professional clear Mathematics Specialist Instruction Credential for applicants who complete a professional preparation program outside California shall include (1) and (2). Applicants may apply directly to the Commission for the professional clear Mathematics Specialist Instruction Credential under this section:
- (1) possession of a valid basic California teaching credential as defined in Education Code Section 44203(e); and
- (2) completion of a post baccalaureate professional preparation program comparable to a program accredited by the Committee on Accreditation for the Mathematics Specialist Instruction Credential, including successful completion of supervised student teaching appropriate to the specialization area but taken outside California. The program must be from a regionally accredited institution of higher education and approved by the appropriate state agency where the course work was completed.
- (c) Term.  
The professional clear Mathematics Specialist Instruction Credential issued on the basis of the completion of all requirements shall be dated per Title 5 Section 80553.
- (d) Authorization.  
The Mathematics Specialist Instruction Credential authorizes the holder to develop and coordinate curriculum, develop programs and deliver staff development for mathematics education programs coordinated by school districts and county offices of education.



[Back to the Top](#) |

[Back to November 1998 Agenda](#) |

[Back to Agenda Archives](#) |

[Return to About CTC](#) |





# California Commission on Teacher Credentialing

**Meeting of:** November 5-6, 1998

**Agenda Item Number:** PUBLIC HEARING-1

**Title:** Proposed Addition of Section 80413.2 and Amendment of Section 80048.3 of Title 5, California Code of Regulations, Pertaining to the Implementation of the Credentialed Out-of-State Teacher Recruitment and Retention Act of 1997 AB 838 (Pacheco)

✓ Action

**Prepared by:** Bobbie Fite  
Assistant Consultant

---

## PUBLIC HEARING

### **Proposed Addition of Section 80413.2 and Amendment of Section 80048.3 of Title 5, California Code of Regulations, Pertaining to the Implementation of the Credentialed Out-of-State Teacher Recruitment and Retention Act of 1997--AB 838 (Pacheco)**

October 23, 1998

#### **Introduction**

The proposed addition of section 80413.2 and the amendments to section 80048.3 concerning the implementation of the Credentialed Out-of-State Teacher Recruitment and Retention Act of 1997--AB 838 (Pacheco) are being presented for public hearing. Included in this item is the background of the proposed regulations, a brief discussion of the proposed changes, and a description of the fiscal impact. Also included are the responses to the notification of the public hearing and a copy of that notification distributed in coded correspondence #98-9816 dated September 8, 1998.

#### **Background of the Proposed Regulations**

At its April 1998 meeting, the Commission directed staff to develop regulations to implement the "Credentialed Out-of-State Teacher Recruitment and Retention Act of 1997" authored by Assemblyman Rod Pacheco (AB 838). This statute became effective on January 1, 1998, and requires the Commission to issue five-year preliminary Multiple Subject, Single Subject, or Education Specialist Credentials to applicants who hold valid equivalent credentials from out of state. At identified times during the five-year period, the teacher must verify completion of specified requirements or the document must be inactivated. At its July 1998 meeting the Commission reviewed the proposed regulations and approved the opening of a rulemaking file and the scheduling of this public hearing.

#### **Proposed Changes**

Section 80413.2(a) is being added to the regulations to describe the minimum requirements for issuance of a Multiple or Single Subject Teaching Credential under the Credentialed Out-of-State Teacher Recruitment and Retention Act of 1997.

Section 80413.2(b) explains the CBEST requirement; establishes the term "year-one deadline" to explain when the requirement must be met; and describes both how the document will be inactivated if the Commission does not receive the holder's passing score and how it will be reactivated once the holder submits a CBEST passing score to the employer.

Section 80413.2(c) explains the requirements for subject-matter, U.S. Constitution and reading; establishes the term "year-four deadline" to explain when the requirements must be met; and describes both how the document will be inactivated if the Commission does not receive the verification of completion of the remaining requirements and how it will be reactivated once the holder submits that verification to the employer.

Section 80413.2(d) describes the requirements for the professional clear credential.

Section 80048.3(c)(1) describes the minimum requirements for issuance of an Education Specialist Instruction Credential in special education under the Credentialed Out-of-State Teacher Recruitment and Retention Act of 1997.

Section 80048.3(c)(2) explains the CBEST requirement; establishes the term "year-one deadline" to explain when the requirement must be met; and describes both how the document will be inactivated if the Commission does not receive the holder's passing score and how it will be reactivated once the holder submits a CBEST passing score to the employer.

Section 80048.3(c)(3) explains the requirements for subject-matter, non-special education pedagogy, experience in general education, reading, and U.S. Constitution; establishes the term "year-four deadline" to explain when the requirements must be met; and describes both how the document will be inactivated if the Commission does not receive the verification of completion of the remaining requirements and how it will be reactivated once the holder submits that verification to the employer.

Section 80048.3(d) has been revised to include the information in subsection (c). The requirements for the professional clear level II credential appear in the next section.

### **Fiscal Impact**

Cost or savings to any state agency: None. Each application for a five-year preliminary credential under this provision of the statute must be accompanied by a check or money order for two hundred dollars (\$200). This fee is to be used to offset the costs of implementing this statute. To date the Commission has received 57 applications.

Mandated costs to local agencies or school districts: These proposed regulations will not impose a mandate on local agencies or school districts which must be reimbursed in accordance with Part 7 (commencing with Section 17500) of the Government Code.

Other non-discretionary costs or savings imposed upon local agencies: None.

Cost or savings in federal funding to the state: None.

Effect on private persons: Individual teachers who hold a valid equivalent credential in another state must pay a two-hundred-dollar (\$200) fee to receive the five-year preliminary credential issued pursuant to these proposed regulations. The standard application fee is currently sixty dollars (\$60), reduced from seventy dollars (\$70) effective October 1, 1998.

With the change in the fee, the five-year preliminary Multiple or Single Subject Teaching Credential issued under these regulations is no longer comparable in price to the same document issued under the traditional process. Under the traditional process, applicants pay \$60 for an initial one-year nonrenewable credential, \$60 for a two-year preliminary, and \$60 for a three-year extension for a total of \$180. This five-year preliminary option now costs them an additional twenty dollars (\$20) over the cost of the individual documents and allows them one year less during which to complete the identical requirements. Applicants do not have to select the five-year preliminary option.

However, even with the change in fee, the five-year preliminary option is financially advantageous for many applicants for the Education Specialist Instruction Credential who would have to purchase a one-year nonrenewable credential for \$60, followed by yearly emergency permits at \$60 each for a maximum of five years until they qualify for the preliminary level I credential under the traditional process. This option could save these applicants as much as \$120 over the five-year period.

Assessment regarding the creation or elimination of jobs in California (Govt. Code §11346.3(b)): The Commission has made an assessment that the proposed amendment to the regulations would not (1) create nor eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

Significant adverse economic impact on businesses including the ability of California businesses to compete with businesses in other states: None. This proposed amendment affects only the Commission, school districts, county superintendent of schools' offices, and out-of-state teachers who are not businesses.

Effect on small businesses per Govt. Code §11346.5(a)(3)(B): None. This proposed amendment affects only the Commission, school districts, county superintendent of schools' offices, and out of state teachers who are not small businesses.

Significant effect on housing costs: None.

### **Notice of Proposed Rulemaking Mailing List and Responses**

The Notice of Public Hearing was mailed to individuals on the following mailing lists:

- Members of the California Commission on Teacher Credentialing

- California County Superintendents of Schools
- Credential Analysts at the California County Superintendents of Schools' Offices
- Superintendents of Selected California School Districts
- Deans of Education at the California Institutions of Higher Education with Commission-Approved Programs
- Credential Analysts at the California Institutions of Higher Education with Commission-Approved Programs
- Presidents of Selected Professional Educational Associations

This notice was also placed on the Internet at "<http://www.ctc.ca.gov>".

**Tally of Written Responses Received prior to October 22, 1998:**

Type of Response	IN SUPPORT	IN OPPOSITION
Organizational	4	1
Personal	2	1
<b>TOTAL</b>	<b>6</b>	<b>2</b>

**Organizational Opinions in Support:**

- California State University, Northridge; Carolyn M. Hood, Director
  - Madera County Office of Education; Linda Haze, Administrative Assistant, Human Resources
  - Romoland School District; James Enderson, Assistant Superintendent of Educational Services
  - Shasta County Office of Education; Anita Balkovek, Credential Analyst
- Comment: On the form CL-813, I would like to suggest that a cc: goes to the county office of employment. Credential applications are often processed at the county level--thereby needing this information directly from CTC.*
- Staff Response: the CL-813 is included by reference in these regulations and is not actually part of the regulations themselves so no action by the Commission is needed to change it. Staff will be happy to include a space to list the county of employment on the CL-813 and to recommend on the form that a copy be submitted to the county as well as the employer. Copies of the inactivation and reactivation letters will also be routinely sent to the county office.

**Personal Opinions in Support:**

- Debra Cook-Lewis, Educational Services Secretary, Wilsona School District
- Judy MacDonald, Credential Analyst, University of California, Davis

**Organizational Opinions in Opposition:**

- Holy Names College, Peggy Webster, Ph.D., Chair, Education Department

*Comment:*

- 1) *Who will determine what is "equivalent" (p.1) or "comparable" (p.5) and what do these terms mean?*
- 2) *Out of state teachers should be required to pass RICA within the first two years of teaching in California.*
- 3) *Proposed Legislation appears to be absolutely unfair to California prepared teachers.*
- 4) *Clarification needed on section C1C, page 6.*

Commission Staff Response:

- 1) Trained, experienced Certification Officers with the Commission on Teacher Credentialing will continue to determine if a valid out-of-state document held by an applicant for this credential is comparable to the California Multiple Subject, Single Subject, or Education Specialist Credential. Certification Officers currently make this decision regarding out-of-state programs and credentials when issuing these and all other credentials under the traditional process. The public hearing announcement uses "equivalent" in the description and "comparable" in the regulations to mean documents that require a professional preparation program approved by the applicable state agency in the state where the program was completed and that authorizes the same or similar service to the California document: elementary school/self-contained classroom equals Multiple Subject, secondary school/departmentalized classes equals Single Subject, and category-specific special education equals the appropriate Education Specialist Credential.
- 2) Education Code Section 44283(a) exempts individuals who hold a teaching credential from the passage of the Reading Instruction Competence Assessment (RICA). The teachers for the five-year preliminary credential under the provisions of these proposed regulations hold valid teaching credentials from another state, so RICA is not mentioned in the regulations.
- 3) Education Code Section 44205(a)(1)(B) states the intent of the Legislature "that any and all teachers hired in California pursuant to this section fully meet the requirements of the State of California". Under this section of the statute, thus under these proposed regulations, out-of-state teachers meet the same requirements (with the exception of RICA, which is exempted elsewhere) as California-prepared teachers, they just do it under a different time line.
- 4) Subsection 80413.2(c)(1)(C) addresses the reading requirement: demonstration of the study of alternative methods of developing English language skills, including the study of reading, as described in Education Code Section 44259(b)(4). This requirement is specified in Education Code 44205(e) as "completion of a course or examination on the various methods of teaching reading".

### Personal Opinions in Opposition:

- Susan Rounds, Director, Dominican College Ukiah Campus

*Comment:*

*I do not think it is equitable that out of state applicants are not required to pass RICA yet California applicants must do so. If some must take RICA, it's fair that all must take it.*

Commission Staff Response:

Education Code Section 44283(a) exempts individuals who already hold a teaching credential from the passage of the Reading Instruction Competence Assessment (RICA). Applicants for the five-year preliminary credential under these proposed regulations hold valid teaching credentials from another state.

### Staff Recommendation

The staff recommends that the Commission adopt the proposed regulations.



DATE: September 8, 1998  
TO: All Individuals and Groups Interested in the Activities of the Commission on Teacher Credentialing  
FROM: Sam W. Swofford, Ed.D.  
Executive Director  
SUBJECT: Proposed Addition of Section 80413.2 and Amendment of Section 80048.3 of Title 5, California Code of Regulations, Pertaining to the Implementation of the Credentialed Out-of-State Teacher Recruitment and Retention Act of 1997--AB 838 (Pacheco)

### **NOTICE OF PUBLIC HEARING IS HEREBY GIVEN:**

In accordance with Commission policy, proposed Title 5 Regulations are being distributed prior to the public hearing. A copy of the proposed regulations is attached. The added text is underlined, while the ~~deleted~~ text is lined-through. The public hearing is scheduled on:

Thursday, November 5, 1998  
1:30 p.m.  
Vizcaya Pavilion  
2019 21st Street  
Sacramento, California

### **STATEMENT OF REASONS**

Education Code Sections 44205 and 44205.5, the "Credentialed Out-of-State Teacher Recruitment and Retention Act of 1997" authored by Assemblyman Rod Pacheco (AB 838), became effective on January 1, 1998. This statute requires the Commission to issue five-year preliminary Multiple Subject, Single Subject, or Education Specialist Credentials to applicants who hold valid equivalent credentials from out of state. At identified times during the five-year period, the teacher must verify completion of specified requirements or the document must be inactivated by the Commission. The proposed regulations seek to clarify several items in the statute. A description of those items appears below.

#### *Requirements*

Education Code Section 44205 (a)(1) states that "It is the intent of the legislature that...any and all teachers hired in California pursuant to this section fully meet the requirements of the State of California." Those requirements are identified by name or by reference in the statute. However, the Education Code references do not provide a complete description of all of the requirements. The proposed regulations add clarity by identifying the requirements in specific terms, with references to the Education Code and Title 5 regulations as appropriate.

#### *Identifying the Employer*

The statute requires that the out-of-state teacher must have an offer of employment in California in order to receive this five-year preliminary credential. At each step, the statute implies that the teacher must still be working in California. The proposed regulations identify the employing agency by placing that agency's name on the face of the document in the form of an employment restriction. This will enable the Commission to locate the teacher and to notify both the teacher and the employer when requirements have not been met and the document must be inactivated. The restriction will not limit the teacher to working in a single district for the entire five years; it will simply require the teacher and his or her new employer to notify the Commission if the teacher moves to a new district.

#### *Form for Verification of Requirements*

As a guide for the credential holder when he or she collects the materials needed to verify completion of requirements, and as a way to assure that the materials submitted before the end of the fourth year are processed efficiently in the Commission office, the proposed regulations require the materials be submitted with a specific form: Verification of Completion of Requirements for a Credential Issued Pursuant to Education Code §44205 (CL813 - 5/98). This form will be mailed to the credential holder with the original credential document and a second copy will be mailed with the inactivation letter, if one is necessary.

#### *Notifying Credential Holders and Employers of Inactivation and Reactivation*

The statute requires that the Commission inactivate the five-year preliminary credential when specific requirements are not met by established deadlines. First, the Commission must inactivate the document if the holder does not pass CBEST within the first year. In addition, the Commission must inactivate the document if other requirements are not completed by the end of the fourth year. The statute does not specify who should be notified of this inactivation or when. The proposed regulations state that the Commission will notify both the credential holder and the employing agency one month in advance of the inactivation date for CBEST and three months in advance of inactivation for the remaining requirements. The letter will state

the specific date of inactivation. This process provides both the holder and employer with time to submit verification of completion of the requirements before the deadline, thereby keeping the holder in the classroom.

If the credential holder fails to verify completion of requirements by the deadline and must be removed from the classroom, the proposed regulations provide a way to return the holder to the assignment as soon as he or she submits verification to the employer. This way the students are not without their teacher while the paper work is being processed. The employing agency then has ten working days to submit the paperwork to the Commission. Once the verification of completion of requirements is processed in the Commission office, the Commission will send a formal notice of reactivation.

## **DOCUMENTS RELIED UPON IN PREPARING REGULATIONS**

No studies, reports, or other research documents were relied upon in the development of these proposed regulations.

## **DOCUMENTS INCORPORATED BY REFERENCE**

- Verification of Completion of Requirements for a Credential Issued Pursuant to Education Code §44205 (CL813 - 5/98)

## **WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comments on the proposed action. The written comment period closes at 5:00 p.m. on Wednesday, November 4, 1998.

Any written comments received 14 days prior to the public hearing will be reproduced by the Commission's staff for each Commissioner 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 at the hearing.

## **SUBMISSION OF WRITTEN COMMENTS**

A response form is attached for your use when submitting written comments to the Commission. Please send it to the Commission, attention Executive Office, at 1812 9th Street, Sacramento, CA 95814-7000, so it is received at least one day prior to the date of the public hearing.

## **HEARING**

Oral comments on the proposed action will be taken at the public hearing. The Commission would appreciate 14 days advance notice in order to schedule sufficient time on the agenda for all speakers. Please contact the Executive Director's office at (916) 445-0184 regarding this.

Any person wishing to submit written comments at the public hearing may do so. It is requested, but not required, that persons submitting such comments provide fifty copies to be distributed to the Commissioners and interested members of the public. All written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

## **MODIFICATION OF PROPOSED ACTION**

If the Commission proposes to modify the action hereby proposed, the modifications (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

## **CONTACT PERSON/FURTHER INFORMATION**

Inquiries concerning the proposed action may be directed to Bobbie Fite at (916) 445-5857 or <bfit@ctc.ca.gov>.. 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. In addition, all the information on which this proposal is based is available for inspection and copying.

Attachments

---

### **DIVISION VIII OF TITLE 5 CALIFORNIA CODE OF REGULATIONS**

**Proposed Addition of Section 80413.2 and Amendment of Subsection  
80048.3 of Title 5, California Code of Regulations,**

80413.2 Specific Requirements for Preliminary and Professional Clear Multiple and Single Subject Teaching Credentials Pursuant to the Credentialed Out-of-State Teacher Recruitment and Retention Act of 1997

- (a) The minimum requirements for the five-year preliminary Multiple or Single Subject Teaching Credential pursuant to the Credentialed Out-of-State Teacher Recruitment and Retention Act of 1997 are:
- (1) possession of a valid comparable teaching credential from a state other than California that required both of the following:
    - (A) completion of a baccalaureate or higher degree from a regionally accredited institution of higher education and
    - (B) completion of a professional preparation program approved by the applicable state agency in the state where the program was completed; and
  - (2) an offer of employment from a California school district, county office of education, non-public, non-sectarian school or agency, or school operating under the direction of a California state agency. Service on the credential is restricted to the employing agency listed on the document. If the holder changes employing agencies, he or she and the new employer must request a change of restriction on the document.
  - (3) An individual who has previously been issued a California Multiple or Single Subject Teaching Credential or Permit is not eligible for this preliminary credential.
- (b) On or before the end of the first year following the issuance date of the credential (year-one deadline), the credential holder must pass the California Basic Educational Skills Test (CBEST).
- (1) If the holder does not have a passing score on file with the Commission one month prior to the year-one deadline, the Commission will send a credential inactivation notice to both the employer and the credential holder specifying the date on which the document will become inactive.
  - (2) The employer must remove the holder from the teaching position no later than the inactivation date specified in the notification, unless the holder provides the employer with his or her official CBEST verification transcript as proof of passage of the examination prior to the specified inactivation date. If the holder is removed from the teaching position, he or she may be returned to the position as soon as he or she provides the employer with his or her official CBEST verification transcript as proof of passage of the examination.
  - (3) The employer must submit a copy of the CBEST verification transcript to the Commission within ten working days of returning the holder to the teaching position. The Commission will send the employer and the holder a letter indicating the document has been reactivated once the scores are entered into the Commission's computer system.
- (c) On or before the end of the fourth year following the issuance date of the credential (year-four deadline), the credential holder must submit verification that he or she has completed the requirements for continuation of employment to the Commission using form CL-813.
- (1) The requirements for continuation of employment are:
    - (A) subject-matter competence verified either by examination as specified in Education Code Sections 44280 and 44281 and described in Title 5 Section 80071, or by completion of a subject-matter program as provided for in Education Code Section 44310 and described in Title 5 Sections 80085-80088 and 80094,
    - (B) knowledge of the Constitution of the United States, as specified in Education Code Section 44335, by one of the means described in Title 5 Section 80415; and
    - (C) demonstration of the study of alternative methods of developing English language skills, including the study of reading, as described in Education Code Section 44259(b)(4).
  - (2) If the holder does not verify completion of the year-four requirements to the Commission at least three months prior to the year-four deadline, the Commission will send a credential inactivation notice to both the employer and the credential holder specifying the date on which the document will become inactive.
  - (3) The employer must remove the holder from the teaching position no later than the inactivation date specified in the notification unless the holder provides the employer with verification that all year-four requirements have been completed prior to the specified inactivation date. If the holder is removed from the teaching position, he or she may be returned to the position as soon as he or she provides the employer with official verification that all year-four requirements have been completed.
  - (4) The employer must submit verification of completion of requirements to the Commission within ten working days of returning the holder to the teaching position. The Commission will send the employer and the holder a letter indicating the document has been reactivated once verification has been entered into the Commission's computer system.
- (d) To be eligible to apply for the professional clear credential, the holder must complete the following requirements in addition to the requirements listed above:
- (1) study of health education as specified in Education Code Section 44259(c)(1),
  - (2) study and field experience in methods of delivering appropriate educational services to pupils with exceptional needs in regular education programs as specified in Education Code Section 44259(c)(2),
  - (3) study of computer-based technology as specified in Education Code Section 44259(c)(3), and

- (4) completion of an approved fifth year of study as specified in either Education Code Section 44259(c)(4) or Section 44227(e)(1).

NOTE: Authority Cited: Sections 44225 and 44205, Education Code. Reference: Sections 44227(c), 44227(e), and 44259(c), Education Code

### **80048.3 Specific Requirements for the Preliminary Level I Education Specialist Instruction Credential**

- (a) The minimum requirements for the preliminary level I Education Specialist Instruction Credential for applicants who complete a professional preparation program in California shall include (1) through (8):
- (1) a baccalaureate or higher degree from a regionally accredited institution of higher education;
  - (2) the completion of a professional preparation program accredited by the Committee on Accreditation in the requested education specialist category, including successful completion of supervised field study;
  - (3) passage of the California Basic Education Skills Test (CBEST) described in Education Code Section 44252, unless exempt by statute or regulation;
  - (4) verification of subject-matter knowledge either by examination as specified in Education Code Sections 44280 and 44281 and described in Title 5 Section 80071, or by completion of a subject-matter program as provided for in Education Code Section 44310 and described in Title 5 Sections 80085-80088 and 80094; candidates for the specialist category of Early Childhood Special Education or holders of a California clear, professional clear, or life teaching credential requiring a baccalaureate or higher degree and a program of professional preparation, including student teaching, are exempt from this subject-matter competence requirement;
  - (5) demonstration of the study of alternative methods of developing English language skills, including the study of reading, as described in Education Code Section 44259(b)(4);
  - (6) knowledge of the Constitution of the United States, as specified in Education Code Section 44335, by one of the means described in Section 80415 of this article;
  - (7) the recommendation from a regionally accredited institution of higher education that has a program accredited by the Committee on Accreditation in the preliminary credential sought, as specified in Education Code Section 44227(a); and
  - (8) verification of an offer of employment. The employment requirement may be met in one of the following ways:
    - (A) Employment in a position requiring the Education Specialist Instruction Credential in a public school or private school of equivalent status; or
    - (B) Employment in a position not requiring the Education Specialist Instruction Credential but where duties include providing direct instruction to special education students. The applicant must verify all of the following:
      1. Possession of a non-special education credential that authorizes employment in the position;
      2. The duties of the position are equivalent in nature to special education duties. A letter from the employing school district, county office or special education local planning area must verify the assignment, including a description of the duties and explanation as to why the position does not require an Education Specialist Instruction Credential;
      3. The Coordinator or Director of the Education Specialist credential program at the college or university in which the applicant is enrolled must verify that experience is appropriate for the requested education specialist category of the preliminary Education Specialist Instruction Credential; and
      4. The Commission staff confirms that the teaching position would be considered equivalent to a special education position, including a position such as teacher in a regular classroom where special education students are included, but not including positions such as curriculum consultant or administrator.
- (9) An individual who has completed requirements (1) through (7) above but does not have an offer of employment may apply for a Certificate of Eligibility which verifies completion of all requirements for the preliminary level I credential and authorizes the holder to seek employment.
- (b) The minimum requirements for the preliminary level I Education Specialist Instruction Credential for applicants who complete a professional preparation program outside of California shall include (1) through (9) below. Applicants may apply directly to the Commission for the preliminary level I Education Specialist Instruction Credential under this section.
- (1) a baccalaureate or higher degree from a regionally accredited institution of higher education;
  - (2) the completion of a professional preparation program in the requested education specialist category, consisting of a minimum of 24 semester units, comparable to a program accredited by the Committee on Accreditation, including successful completion of supervised field study, but taken outside of California at a regionally accredited institution of higher education and approved by the appropriate state agency where the coursework was completed;
  - (3) passage of the California Basic Education Skills Test (CBEST) described in Education Code Section 44252;
  - (4) verification of subject-matter knowledge either by examination as specified in Education Code Sections 44280 and 44281 and described in Title 5 Section 80071, or by completion of a subject-matter program as provided for in Education Code Section 44310 and described in Title 5 Sections 80085-80088 and 80094; candidates for the specialist category of Early Childhood Special Education or holders of a California clear, professional clear, or life teaching

credential requiring a baccalaureate or higher degree and a program of professional preparation, including student teaching, are exempt from this subject-matter competence requirement;

- (5) a minimum of three units of coursework in non-special education pedagogy relating to teaching basic academic skills and content areas that are commonly taught in the public school curriculum;
- (6) a minimum of one semester unit of supervised field experience in general education verified by transcript or 45 clock hours with non-special education students verified by the employing agency;
- (7) demonstration of the study of alternative methods of developing English language skills, including the study of reading, as described in Education Code Section 44259(b)(4);
- (8) knowledge of the Constitution of the United States, as specified in Education Code Section 44335, by one of the means described in Section 80415 of this article; and
- (9) verification of an offer of employment. The employment requirement may be met in one of the following ways:
  - (A) Employment in a position requiring the Education Specialist Instruction Credential in a public school or private school of equivalent status; or
  - (B) Employment in a position not requiring the Education Specialist Instruction Credential but where duties include providing direct instruction to special education students. The applicant must verify all of the following:
    1. Possession of a non-special education credential that authorizes employment in the position;
    2. The duties of the position are equivalent in nature to special education duties. A letter from the employing school district, county office or special education local planning area must verify the assignment, including a description of the duties and explanation as to why the position does not require an Education Specialist Instruction Credential;
    3. The Coordinator or Director of the Education Specialist credential program at the college or university in which the applicant is seeking enrollment must verify that experience is appropriate for the requested education specialist category of the preliminary Education Specialist Instruction Credential; and
    4. The Commission staff confirms that the teaching position would be considered equivalent to a special education position, including a position such as teacher in a regular classroom where special education students are included, but not including positions such as curriculum consultant or administrator.
- (10) An individual who has completed requirements (1) through (8) above but does not have an offer of employment may apply for a Certificate of Eligibility which verifies completion of all requirements for the preliminary level I credential and authorizes the holder to seek employment.

(c) The requirements for the preliminary level I Education Specialist Instruction Credential pursuant to the Credentialed Out-of-State Teacher Recruitment and Retention Act of 1997 include all of the following:

(1) The minimum requirements for initial issuance include:

(A) possession of a valid comparable teaching credential from a state other than California that required both of the following:

1. completion of a baccalaureate or higher degree from a regionally accredited institution of higher education and
2. completion of a professional preparation program approved by the applicable state agency in the state where the program was completed; and

(B) an offer of employment from a California school district, county office of education, non-public, non-sectarian school or agency, or school operating under the direction of a California state agency. Service on the credential is restricted to the employing agency listed on the document. If the holder changes employing agencies, he or she and the new employer must request a change of restriction on the document.

(C) An individual who has previously been issued a California Specialist Instruction Credential or Permit in Special Education or an Education Specialist Instruction Credential or Permit is not eligible for this preliminary level I credential.

(2) On or before the end of the first year following the issuance date of the credential (year-one deadline), the credential holder must pass the California Basic Educational Skills Test (CBEST).

(A) If the holder does not have a passing score on file with the Commission one month prior to the year-one deadline, the Commission will send a credential inactivation notice to both the employer and the credential holder specifying the date on which the document will become inactive.

(B) The employer must remove the holder from the teaching position no later than the inactivation date specified in the notification, unless the holder provides the employer with his or her official CBEST verification transcript as proof of passage of the examination prior to the specified inactivation date. If the holder is removed from the teaching position, he or she may be returned to the position as soon as he or she provides the employer with his or her official CBEST verification transcript as proof of passage of the examination.

(C) The employer must submit a copy of the CBEST verification transcript to the Commission within ten working days of returning the holder to the teaching position. The Commission will send the employer and the holder a letter indicating the document has been reactivated once the scores are entered into the Commission's computer system.

(3) On or before the end of the fourth year following the issuance date of the credential (year-four deadline), the credential holder must submit verification that he or she has completed the requirements for continuation of employment to the Commission using form CL-813.

(A) The requirements for continuation of employment are:

1. subject-matter knowledge either by examination as specified in Education Code Sections 44280 and 44281 and described in Title 5 Section 80071, or by completion of a subject-matter program as provided for in Education Code Section 44310 and described in Title 5 Sections 80085-80088 and 80094; candidates for the specialist category of Early Childhood Special Education are exempt from this subject-matter competence requirement;
2. a minimum of three semester units of coursework in non-special education pedagogy relating to teaching basic academic skills and content areas that are commonly taught in the public school curriculum verified by official transcript;
3. a minimum of one semester unit of supervised field experience in general education verified by official transcript or 45 clock hours with non-special education students verified by the employing agency;
4. demonstration of the study of alternative methods of developing English language skills, including the study of reading, as described in Education Code Section 44259(b)(4) verified by official transcript; and
5. knowledge of the Constitution of the United States, as specified in Education Code Section 44335, by one of the means described in Section 80415 of this article.

(B) If the holder does not verify completion of the year-four requirements to the Commission at least three months prior to the year-four deadline, the Commission will send a credential inactivation notice to both the employer and the credential holder specifying the date on which the document will become inactive.

(C) The employer must remove the holder from the teaching position no later than the inactivation date specified in the notification, unless the holder provides the employer with verification that all year-four requirements have been completed prior to the specified inactivation date. If the holder is removed from the teaching position, he or she may be returned to the position as soon as he or she provides the employer with official verification that all year-four requirements have been completed.

(E) The employer must submit verification of completion of requirements to the Commission within ten working days of returning the holder to the teaching position. The Commission will send the employer and the holder a letter indicating the document has been reactivated once verification has been entered into the Commission's computer system.

(d) Period of Validity.

- (1) A preliminary level I Education Specialist Instruction Credential issued on the basis of the completion of all requirements in subsections (a), ~~(b)~~, or (c) is valid for five years.

NOTE: Authority Cited: Sections 44225 and 44205, Education Code. Reference: Sections 44225, 44227(a), 44252, 44265, 44280, 44281, 44310, 44259(b)(4), and 44335, Education Code.

---

**California Commission on Teacher Credentialing**

1812 Ninth Street  
 Sacramento, California 95814-7000  
 (916) 445-0184  
 FAX (916) 327-3166



OFFICE OF THE EXECUTIVE DIRECTOR

Attn: Sam W. Swofford, Ed.D.  
 Executive Director

Title: **Implementation of AB 838**  
 Sections: 80413.2 and 80048.3

**Response to the Attached Title 5 Regulations**

So that the California Commission on Teacher Credentialing can more clearly estimate the general field response to the attached Title 5 Regulations, please return this response form to the Commission office at the address above by **5:00 pm on Wednesday, November 4, 1998**, in order that the material can be presented at the **November 5, 1998** public hearing.

1.  **Yes**, I agree with the proposed Title 5 regulations. Please count me in favor of these regulations.
2.  **No**, I do not agree with the proposed Title 5 Regulations for the following reasons:  
 (If additional space is needed, use the reverse of this sheet.)
3.  Personal opinion of the undersigned and/or
4.  Organizational opinion representing: \_\_\_\_\_  
 (Circle One) School District, County Schools, College, University,  
 Professional Organization, Other
5.  I shall be at the public hearing, place my name on the list for making a presentation to the Commission.
6.  No, I will not make a presentation to the Commission at the public hearing.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Employer/Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

*Route to BF*| [Back to the Top](#) || [Back to](#)[November 1998 Agenda](#) || [Back to Agenda Archives](#) || [Return to About CTC](#) |



# California Commission on Teacher Credentialing

**Meeting of:** November 5-6, 1998

**Agenda Item Number:** PREP-1

**Committee:** Preparation Standards Committee

**Title:** Recommended Procedures for Initial Accreditation and A Request for Initial Institutional Accreditation from the Phillips Institute

✓ Action

**Prepared by:** Larry Birch, Ed.D.

Administrator of Accreditation

---

## Recommended Procedures for Initial Accreditation of an Institution and A Request for Initial Institutional Accreditation from the Phillips Institute

Professional Services Division  
October 16, 1998

### Staff Recommendation

1. Staff recommends that the Commission adopt the procedures for initial accreditation of institutions described later
2. in this agenda report.

Staff recommends that the Commission grant initial institutional accreditation to the Phillips Graduate Institute to be able to offer programs of professional preparation and recommend candidates for state credentials.

### Recommended Procedures for the Initial Accreditation of Institutions

#### Background

Prior to the *Accreditation Framework*, institutions not previously approved to offer programs of professional preparation would submit a program proposal responding to the Commission's preconditions and standards. If the institution was accredited by the Western Association of Schools and Colleges (WASC) and if the response to the preconditions and standards was judged to be satisfactory, the Commission voted to give approval to the institution to begin offering one or more programs

Under the *Accreditation Framework*, the term "program approval" is no longer used. Instead, a distinction is made between "initial accreditation of institutions" and "initial accreditation of programs."

#### Initial Accreditation of Institutions

Under the authority of the Education Code, the Commission is given the responsibility to determine the eligibility of institutions to offer professional preparation programs and to recommend issuance of credentials to candidates completing programs of preparation.

**Education Code Section 44227 (a)** -- The Commission may approve any institution of higher education

whose teacher education program meets the standards prescribed by the Commission, to recommend to the Commission the issuance of credentials to persons who have successfully completed those programs.

**Education Code Section 44372** -- The powers and duties of the Commission on Teacher Credentialing regarding the accreditation system shall include the following:

- (c) Rule on the eligibility of an applicant for accreditation when the applying institution has not previously prepared educators for state certification in California, pursuant to subdivision (a) of Section 44227.

**Accreditation Framework Section 4 A 1 - Initial Accreditation of Institutions.** A postsecondary education institution that has not previously been declared eligible to offer credential preparation programs must submit an application to the Commission for initial professional accreditation. Institutional accreditation by the Western Association of Schools and Colleges (WASC) is required for initial professional accreditation by the Commission. The Commission may establish additional procedures and criteria for the initial professional accreditation of institutions to prepare and recommend candidates for state credentials in education.

Under the above provisions, the only specific criterion for initial accreditation of institutions is accreditation by WASC. The Commission is given authority by the *Framework* to establish additional procedures and criteria. The recommended procedures add the review of institutional responses to the institutional preconditions. (Another agenda item discusses the implementation of legislation which might allow for the initial accreditation of institutions accredited by regional associations other than WASC.)

#### **Initial Accreditation of Programs**

Under the authority of the *Accreditation Framework*, the Committee on Accreditation is given the responsibility to determine the accreditation of professional preparation programs of eligible institutions.

**Accreditation Framework Section 2 A 2 - Initial Accreditation of Programs.** The Committee reviews proposals for the initial accreditation of programs submitted by institutions that have been determined eligible by the Commission. New programs of educator preparation may be submitted under Options One, Two, Four or Five in Section 3. If the Committee determines that a program meets all applicable standards, the Committee grants initial accreditation to the program.

The *Accreditation Framework* gives further direction about the initial accreditation of programs in Section 4.

**Accreditation Framework Section 4 A 2 - Initial Accreditation of Programs.** New credential program proposals by institutions that have been determined to be eligible by the Commission must fulfill preconditions established by state law and the Commission, the Common Standards, and a set of Program Standards. Descriptions of new programs include evidence of involvement in program design and planning by elementary and secondary school practitioners and members of diverse local communities. The Committee on Accreditation decides the initial accreditation of new credential programs at an eligible institution.

General policies for initial program accreditation are then outlined in Section 4 B.

1. **Review of New Programs.** Prior to being presented to the Committee for action, new programs proposed by eligible institutions are reviewed by Commission staff members who have expertise in the credential area. If the Commission staff does not possess the necessary expertise, the program proposals are reviewed by external experts selected by the Executive Director. New programs are reviewed in relation to the Common Standards in Appendix 2 and the selected Program Standards as specified in Section 3 of this *Framework*. The Committee considers recommendations by the staff and the external reviewers regarding the accreditation of each proposed program.
2. **Institutional Standards.** An institution that selects National or Professional Program Standards (Option 2) or develops Alternative Program Standards (Option 5) submits the standards to the Committee on Accreditation for initial approval prior to developing a program proposal. The acceptability of the standards is assured before the institution prepares a program proposal.
3. **Experimental Programs.** The Committee on Accreditation accredits experimental programs by applying standards adopted by the Commission relating to:
  - submission of research questions, hypotheses or objectives related to the selection, preparation or assessment of prospective professional educators;
  - submission of a research design applicable to the research questions, hypotheses or objectives being investigated; and
  - demonstration of the potential effectiveness of the proposed program in generally improving the quality of service authorized by the credential.
4. **Alternative Programs.** The Committee on Accreditation accredits alternative programs by applying standards adopted by the Commission relating to:
  - the overall quality of alternative standards developed by the institution, which must have educational merit generally equivalent or superior to standards set by the Commission as Option 1;
  - the requirement that extended alternative programs adhere to standards of professional competence that exceed those set by the Commission for conventional teacher education programs; and
  - a recommendation that alternative programs that lead to Multiple or Single Subject Teaching credentials be designed to integrate the delivery of subject matter preparation and pedagogical preparation over the entire period of each candidate's initial preparation as a teacher.

The Committee on Accreditation has adopted procedures based upon those policies. The procedures are published in Chapter Two of the Accreditation Handbook and have been in use by the Committee for the past two years.

### **Recommended Procedures for Initial Accreditation of Institutions**

Since no specific procedures have been adopted by the Commission for initial accreditation, it would be helpful to institutions wishing to be considered for accreditation, if the Commission would adopt appropriate procedures. The following procedures are recommended for institutions who have not previously prepared educators for state certification in California :

1. The institution prepares a complete program proposal, responding to all preconditions, Common Standards and appropriate Program Standards. The proposal will be considered as the application for accreditation.
2. Initial Accreditation will be considered a two stage process:
  - a. The proposal will be reviewed for compliance with the appropriate institutional preconditions (WASC accreditation, institutional responsibility, non-discrimination procedures, completion of a needs assessment, involvement of practitioners in the design of the program, agreement to provide information to the Commission, etc.) and brought before the Commission for initial accreditation action. If the proposal meets the Commission's requirements, the institution will be recommended for initial accreditation.
  - b. If the Commission acts favorably on the proposal, it will be forwarded to the Committee on Accreditation for program accreditation action according to adopted procedures.
3. Once granted initial accreditation, the institution will then come under the continuing accreditation procedures already adopted by the Committee on Accreditation.

## Background

Phillips Graduate Institute was founded in 1971 as the California Family Study Center, by Clinton E. Phillips, Ph.D. and T. David Jansen, D. Min. Dr. Phillips had been asked by Azusa Pacific University (then College) to provide a marriage and family therapy graduate program for them. What began as a one-year program taught partly at Azusa expanded to two years, taught exclusively by the California Family Study Center faculty.

In 1983 independent accreditation was granted to the California Family Study Center by the Western Association of Schools and Colleges (WASC).

Adapting to increasing enrollment, Phillips Graduate Institute moved into larger quarters several times. Beginning in North Hollywood in 1971, it expanded and moved to Burbank in 1973, and soon grew into adjacent property in 1975. After independent accreditation, a new campus was designed and built in North Hollywood. Eight years later, classroom and parking space demands required another move, this time to the current facility in Encino.

In Encino, classrooms and offices are located in facilities upstairs, while the California Family Counseling Center continues to offer services to individuals and families on the ground floor. Having the counseling center on site offers Phillips students an opportunity for practical learning while faculty supervise.

The name of the institution was changed from the California Family Study Center to Phillips Graduate Institute in 1995 in order to reflect more accurately the school's changing mission. The Institute currently offers Masters of Arts Degree programs in Marital and Family Therapy and Organizational behavior. In adding the Pupil Personnel Services Credential program, the Phillips Institute wants to build upon its existing institutional mission. The initial class will be limited to twenty students, and all subsequent semesters will have enrollments of no more than twenty to twenty-two students. All coursework will be offered only at the Encino campus. Field placements will be coordinated and supervised in a similar manner to the existing Marriage, Family, Child Counseling Program practicum placements.

## Review of Institutional Proposal

The institutional proposal was reviewed by Dr. Joe Dear. Phillips Institute has responded to all preconditions, all Common Standards and Program Standards for the Pupil Personnel Services: School Counseling Credential. The institution is accredited by the Western Association of Schools and Colleges and has responded appropriately to the institutional preconditions.

On the basis of the response to the appropriate preconditions, Phillips Institute is recommend for initial institutional accreditation. The proposal should be forwarded to the Committee on Accreditation for Program Accreditation consideration.



[Back to the Top](#) |

[Back to November 1998 Agenda](#) |

[Back to Agenda Archives](#) |

[Return to About CTC](#) |





## California Commission on Teacher Credentialing

**Meeting of:** November 5-6, 1998

**Agenda Item Number:** PREP-2

**Committee:** Preparation Standards

**Title:** Recommended Plan for an Accreditation Pilot Project Pursuant to Assembly Bill 2730 (Mazzoni)

✓ Action

**Prepared by:** David Wright, Ph.D., Director  
Office of Policy and Programs

---

**Recommended Plan for an Accreditation Pilot Project  
Pursuant to Assembly Bill 2730 (Mazzoni)**

**Office of Policy and Programs  
October 22, 1998**

---

## Executive Summary

This report includes an operational plan for an Accreditation Pilot Project as required by Assembly Bill 2730 (Mazzoni, Statutes of 1998). Part One of the report summarizes the issues and events that prompted the introduction of AB 2730 six months ago. Part Two summarizes the prior discussions and actions of the Commission related to the accreditation of out-of-region institutions. Part Three provides a detailed analysis of the provisions and implications of AB 2730. Part Four introduces additional issues and concerns that the Commission is authorized to examine in the AB 2730 pilot project. Finally, in Part Five, the operational plan for the pilot project identifies three policy questions to be addressed and resolved in the project; describes the anticipated products and outcomes of the project; includes a four-phase structure and timeline for the project; describes the composition and functions of an advisory task force; outlines eligibility, selection and participation requirements for institutions that apply to participate in the project; presents eligibility, selection and scope-of-work requirements for a project evaluation contractor; and includes a tentative schedule for presenting further reports about this project to the Commission.

## Policy Issues to be Resolved by the Commission

a required pilot study of new challenges for the accreditation system, what concerns and issues would be most important to resolve, and how should the Commission and the Committee on Accreditation plan to address and resolve those issues in the study?

## Relationship to the Commission's Strategic Goals and Objectives

**Goal:** Promote educational excellence in California schools.

**Objective:** Develop candidate and program standards.

**Objective:** Develop processes for monitoring program accreditation.

**Goal:** Work with schools of education & school districts to assure quality teachers.

**Objective:** Take a leadership role in recruiting and preparing qualified teachers.

**Objective:** Consider alternatives to meet the needs of California classrooms.

## Fiscal Impact Statement

To support the costs of the Accreditation Pilot Project that is described in this report, the Legislature and Governor Wilson included \$300,000 in the provisions of AB 2730. These funds were appropriated to the Commission without regard to fiscal year, and will be sufficient to pay all costs associated with the recommended plan for the pilot project. As a result, the plan can be adopted by the Commission without redirecting resources from other functions of the agency.

## Recommendation

That the Commission consider and adopt the plan for an Accreditation Pilot Project that is described in Part Five of this agenda report.

## Important Note

The following report contains important information that is relevant to the Commission's policy deliberations but could not be summarized in the above spaces.

## Recommended Plan for an Accreditation Pilot Project Pursuant to Assembly Bill 2730 (Mazzoni)

Office of Policy and Programs  
October 22, 1998

Part One: Issues and Events that  
Prompted the Enactment of AB 2730

In the broadest sense, Assembly Bill 2730 was prompted by the growing need for professional accreditation systems to respond to the changing conditions of elementary, secondary and postsecondary education in California and throughout the nation. More specifically, this legislation responded to the following particular issues, concerns and events.

- The Class-Size Reduction Program created a dramatic and rapid increase in the numbers of K-3 classrooms needing to be staffed quickly. Additionally, teacher demand increased as a result of continuing growth in K-12 student enrollments and the ongoing rate of annual attrition of certificated teachers due to retirement, promotions and transfers to other occupations. These conditions created a teacher demand that could not be fulfilled by the existing systems for producing teachers: recruitment systems such as the Paraprofessional Career Ladder Program; preparation systems such as those offered by 74 accreditation colleges and universities in California; or alternative certification systems such as California's expanding network of internship teaching programs. The unprecedented demand for classroom teachers pushed the numbers of emergency teaching permits to the highest levels in California history.
- The introduction of content standards and standardized examinations for K-12 students raised questions about the preparation of teachers and their readiness to assist all students in meeting the new standards and earning high scores on the annual examinations. Enactment of Proposition 227 in June, 1998, raised comparable questions about the capacity of teachers to provide "structured English immersion instruction" with the effects that were anticipated in the language of the ballot initiative. Meanwhile, the sudden release of unsubstantiated allegations about the subjects in which teachers have "majored" or "minored" raised questions about teachers' knowledge of the subjects they are assigned to teach. Overall, the expansion of teacher demand occurred at the same time that a myriad of questions were being raised about issues of teacher quality. As a result, AB 2730 addressed concerns about high standards in teacher preparation while also seeking ways to increase teacher supply.

### **Part Two: Prior Discussion and Actions by the Commission**

The Commission was involved in the following activities related to the enactment of Assembly Bill 2730 (Mazzoni).

- A small group of postsecondary institutions petitioned the Commission for a change in a state law that made it extremely difficult for them to participate fully in the professional accreditation system for which the Commission is responsible. These institutions are regionally accredited by accrediting bodies other than the Western Association of Schools and Colleges (WASC). Under current law (prior to AB 2730), accreditation or "satisfactory evaluation" by WASC are legal preconditions for any institution to participate in the Commission's professional accreditation system. The affected institutions pointed out that the two options are inconsistent with the norms followed by regional accrediting bodies, including WASC. In the first place, WASC could not consider the petitioning institutions for possible accreditation because they are located outside of the WASC region, which includes only California, Hawaii, Guam and American Samoa. Similarly, "satisfactory evaluation" by WASC would also be inconsistent with the WASC Charter, which focuses exclusively on the accreditation of institutions within the WASC region. Since all of the petitioning institutions are regionally accredited by bodies that have the same status as WASC, the petition to change the law created a possibility that the supply of prepared teachers could be increased. The petitioners stipulated their willingness to cooperate with the Commission and meet the Commission's standards, which suggested that teacher supply might increase without reducing or compromising the quality of educator preparation.
- To judge the adequacy of regional accreditation of institutions located outside the WASC region, the Commission directed its professional staff to complete a comparative analysis of the accreditation standards and procedures that are used by WASC and the five other regional accrediting bodies in the United States. In this analytical study, the adopted standards and policy manuals of WASC and the five other regional bodies were subjected to paired comparisons of content. The paired comparisons examined the depth and breadth of the policies on which the regional accrediting bodies rely, including their accreditation standards, organizational structures, decision rules and sanction options. The report of this analysis, which was presented to the Commission on March 6, 1998, indicated that "apart from minor differences in languages and some variations on the placement of items, the six regional accrediting bodies do not appear to have significant differences in their organizational structures, their decision and sanction options, or their standards." In the course of completing this comparative analysis, the staff received allegations that WASC establishes "higher expectations" than its counterparts in other regions, and that these expectations are not written down. In this regard, however, the staff reported to the Commission that "while anecdotal data were collected for this study, staff has been unable to produce corroboration of those data (from WASC) and, therefore, believes that such information cannot be used in the development of public policy." Following acceptance of this policy recommendation, the Commission adopted ten policy principles to govern the scope and purposes of the pilot project.

Based on the convergence of circumstances as described in Parts One and Two above, the staff recommended and the

Commission decided to conduct a pilot study of ways in which regionally accredited colleges and universities located outside of the WASC region could be eligible for possible accreditation on the basis of existing standards plus any additional standards that may emerge from the pilot study as applicable to the out-of-region institutions. The Commission did not sponsor Assembly Bill 2730, but its introduction by Assembly Member Kerry Mazzoni afforded an opportunity for the Commission to (1) participate in shaping the requirements for a pilot project, and (2) secure needed funding to support the costs of a pilot project.

**Part Three: Analysis of the  
Specific Provisions of Assembly Bill 2730**

Governor Wilson signed Assembly Bill 2730 into law on September 17, 1998. In Chart One, the verbatim language of this law (due to become operative on January 1, 1999) is shown in the left column. The right column provides analytic comments that highlight important implications of the statutory language for the pilot project.

**Chart One: Verbatim Language and  
Important Implications of AB 2730**

<b>Verbatim Language of Assembly Bill 2730</b>	<b>Important Implications For the Pilot Project</b>
(1) <u>General Conditions</u> . The Legislature finds and declares that the current high demand for qualified teachers resulting from factors such as the Class Size Reduction Program requires the state to investigate new options for teacher training that do not compromise state standards.	This language addressed the conditions that were outlined in Part One above. It also confirms that increasing the supply of teachers while maintaining the Commission's existing standards were intended outcomes of AB 2730. The term <i>new options for teacher training</i> provides a broad scope for planning an <i>investigation</i> .
(2) <u>Legislative Intent</u> . It is the intent of the Legislature that the accreditation pilot project established pursuant to (this) act . . . provide more opportunities for teacher training by determining ways in which higher education institutions accredited by regional accrediting organizations other than the Western Association of Schools and Colleges can offer teacher preparation programs in California without reducing state standards for these programs.	The dual concerns for teacher supply ( <i>more opportunities</i> ) and teacher quality ( <i>without reducing state standards</i> ) are repeated here. The language focuses on <i>institutions accredited by regional accrediting organizations other than WASC</i> . The stated intent is that these institutions be made eligible to <i>offer teacher preparation programs in California</i> provided that state standards are maintained.
(3) <u>Statutory Mandate</u> . Contingent upon funding expressly for this purpose, the Commission, together with the Committee on Accreditation . . . , shall establish a three-year accreditation pilot project, beginning no later than June 15, 1999, to improve accreditation review of nontraditional teacher preparation programs.	AB 2730 requires that a <i>three-year accreditation pilot project</i> be completed. The Commission is given the lead responsibility for this project, but is to <i>establish</i> the project <i>together with</i> the COA. The pilot project is to begin no later than June 15, 1999. Its overall purpose is to <i>improve accreditation review of nontraditional teacher preparation programs</i> . Unlike the statement of legislative intent (Item 2 above), the statutory mandate calls for a pilot project whose scope encompasses <i>nontraditional teacher preparation programs</i> , which is broader than <i>institutions accredited by regional accrediting organizations other than WASC</i> .
(4) <u>Definition of a Key Term</u> . For the purposes of this section, a "nontraditional teacher preparation program" is a regionally accredited institution of higher education, located in California or in another state, that delivers teacher preparation coursework at one or more locations in California that are distant from the institution's home campus.	This definition allows the pilot project to include regionally accredited institutions <i>located in California</i> as well as regionally accredited institutions located <i>in another state</i> . The distance of <i>coursework at one or more locations in California . . . from the institution's home campus</i> is defined as a significant factor in what constitutes a <i>nontraditional teacher preparation program</i> .
(5) <u>Goals and Objectives</u> . The goals and objectives of the accreditation pilot project include, but need not be limited to, the following outcomes:	The Commission is required to achieve the stipulated goals and objectives, and could elect to pursue additional goals and objectives if it has reason to do so.

<ul style="list-style-type: none"> <li>• Expansion of the number of accredited teacher preparation programs in California.</li> <li>• An increase in the number of candidates recommended for California teaching credentials.</li> <li>• A determination of whether current teacher preparation standards are sufficient to ensure quality and effectiveness when applied to programs offered at a distance from an institution's home campus, particularly when the institution is accredited by a regional accrediting body other than the Western Association of Schools and Colleges.</li> <li>• Proposed modifications of existing standards, policies, funding or procedures, and the development of new standards, policies, funding or procedures, to ensure the quality and effectiveness of programs offered at a distance from a home campus.</li> </ul>	<p>Related to the need for an increased supply of qualified teachers, the first two mandated objectives are to expand the number of accredited programs, and to increase the number of recommended candidates for teaching credentials.</p> <p>Related to the need for teachers who are well-prepared on the basis of state standards, the third mandated objective is to determine whether existing standards are sufficient to ensure program quality and effectiveness on the part of programs offered away from home campuses. In this regard, special (but not exclusive) emphasis is given to making this determination for institutions that are accredited by regional accrediting bodies other than WASC.</p> <p>Also related to the need for well-prepared teachers in programs that are offered away from home campuses, the fourth mandated objective authorizes the Commission to modify its existing accreditation standards, policies, funding or procedures, or to replace them with <i>new</i> policies in the same categories.</p>
<p>(6) <u>Out-of-Region Institutions</u>. The Commission shall include in the accreditation pilot project at least three, but no more than six, institutions of higher education that are located in a state other than California and that have been accredited by a regional accrediting organization other than the Western Association of Schools and Colleges . . .</p>	<p>The accreditation pilot project is required to include from three to six institutions whose home campuses are located outside of California, and whose regional accreditation has been granted by a body other than WASC.</p>
<p>(7) <u>WASC-Accredited Institutions</u>. The accreditation pilot project may also include programs offered by institutions accredited by the Western Association of Schools and Colleges.</p>	<p>The Commission and COA are also authorized to include WASC-accredited institutions in the pilot project, provided that the study include 3-6 institutions accredited by regional bodies other than WASC. Postsecondary institutions that are not regionally accredited are not eligible to participate.</p>
<p>(8) <u>Participation Requirements</u>. (Institutional participation is to be determined) upon application from institutions that meet standards established by the Commission. Participating institutions shall meet all Commission policies and procedures governing the approval and accreditation of credential programs in addition to the requirements of any other applicable laws.</p>	<p>To be eligible to participate in the accreditation pilot project, institutions must apply to the Commission, and they must <i>meet</i> standards, policies and procedures that the Commission uses in the approval and accreditation of credential programs. Such institutions would have to meet the requirements of any other applicable laws (which might include, for instance, civil rights statutes).</p>
<p>(9) <u>Use of Specific, Unique Standards</u>. In conducting the accreditation pilot project, the Commission and the Committee on Accreditation shall develop and employ specific standards that address the unique characteristics of non-campus-based programs and (that) ensure that the teacher preparation programs of participating institutions are equivalent to, and not of a lower quality or standard than, traditional teacher preparation programs.</p>	<p>Unlike the standards for determining the eligibility of institutions to participate in the pilot project (which, according to item 8 above, are the Commission's existing standards), the Commission and the COA must, during the term of the pilot project, <i>develop and employ specific standards that address the unique characteristics of non-campus-based programs</i> . . . Ultimate adoption of <i>specific, unique standards for non-campus-based programs</i> appears to be an intended outcome of the pilot project. In drafting these non-campus-based program standards, the legislative emphasis is clearly on program quality and effectiveness.</p>
<p>(10) <u>Required Reviews of Programs</u>. (The pilot project) shall provide for early initial reviews of newly created, nontraditional programs to assure candidates and public schools that candidates</p>	<p>The design of the pilot project must include <i>early initial reviews</i> of the <i>nontraditional programs</i>. Concerns about quality and effectiveness were the explicit reasons for these <i>early reviews</i>. The description of the early reviews</p>

<p>enrolled in the programs are provided with sufficient opportunities to meet state teacher credentialing standards (and) to ensure that these candidates will be as qualified to teach in California public schools as those teachers prepared and educated in teacher preparation programs approved prior to the enactment of . . . this section.</p>	<p>as <i>initial reviews</i> implies that further reviews of the programs (after the early reviews) would be appropriate measures to ensure the qualifications of program graduates. Multiple reviews may be advantageous in enabling the Commission and the COA to fulfill the intended outcome of developing <i>specific, unique standards</i> for nontraditional programs that are distant from institutional home campuses.</p>
<p>(11) <u>Concern for Terminated or Closed Programs or Locations.</u> The Commission and the Committee on Accreditation shall assess and report upon any instance where an institution of higher education that is participating in the accreditation pilot project initiated a teacher preparation program or location which is later terminated or closed.</p>	<p>The sponsors of the pilot project (the Commission and the COA) are required to examine the Legislature's particular concern that a participating institution may initiate and later close or terminate <i>a teacher preparation program or location</i>. To <i>assess and report upon any (such) instance</i> is a mandated element of the pilot project design.</p>
<p>(12) <u>Reporting Requirement.</u> The Commission and the Committee on Accreditation shall report to the Legislature on the results of the accreditation pilot project on or before August 15, 2002, with recommendations to maintain, modify, delete, or expand the accreditation project established pursuant to this section.</p>	<p>The findings of the pilot project must be presented in a written report by the Commission and the COA to the Legislature no later than August 15, 2002. Maintenance, modification, deletion or expansion of the accreditation of non-traditional programs should be addressed in this report.</p>
<p>(13) <u>Sunset of Pilot Project Statute.</u> This section shall become inoperative on June 15, 2002, and as of January 1, 2003, is repealed, unless a later enacted statute, that becomes effective on or before January 1, 2003, deletes or extends the dates on which it becomes inoperative and is repealed.</p>	<p>The Commission's authority to conduct a pilot study of the accreditation of non-traditional programs of teacher education will automatically become inoperative on June 15, 2002, and will automatically be repealed on January 1, 2003, unless this authority is extended prior to those dates. An implication of this "sunset" provision is that the recommendations in the project report (item 12 above) should focus on the prospect of non-traditional institutions participating in the Commission's professional accreditation system, or in a variation on that system, because the pilot project must end on or before June 15, 2002.</p>
<p>(14) The sum of three hundred thousand dollars (\$300,000) is hereby appropriated to the Commission on Teacher Credentialing from the Teacher Credential Fund, without regard to fiscal year, for the purposes of operating the accreditation pilot project . . . pursuant to this bill.</p>	<p>Governor Wilson agreed with this legislative appropriation of funds for the accreditation pilot project. The appropriated funds are available <i>for the purposes of operating the accreditation pilot project</i> beginning in the current fiscal year and continuing in subsequent fiscal years.</p>

**Part Four: Consideration of Additional Issues  
Pertaining to the Quality of Professional Preparation**

Although the accreditation of regionally-accredited institutions located outside the WASC region was the specific issue that prompted the introduction of Assembly Bill 2730, it was not the only concern that motivated the Legislature to act. As the language of the new law indicates, "the current high demand for qualified teachers resulting from factors such as the Class Size Reduction Program requires the state to investigate *new options for teacher training that do not compromise state standards*" (emphasis added). Before the Commission examines a potential design for the accreditation pilot project that is mandated by AB 2730, it may be advantageous to consider additional conditions and circumstances that are causing lawmakers and policymakers to be concerned about both the qualifications and the supply of future teachers. A consideration of current conditions and circumstances is provided next, as one possible basis for the scope, objectives and design of the pilot project, which are discussed in Part Five of this report.

**Productivity of Postsecondary Education**

In the general field of postsecondary education, increases in educational and operational costs have continued to occur throughout the 1990s. Among California's colleges and universities (and those of most other states), costs and fees have increased (a) faster than those of other segments of education, and (b) faster than the general cost of living (the inflation

index). Postsecondary education cost increases have been so steep and sustained that governors, legislators and policymakers in California and several other states have expressed alarm and have asked the chief executive officers of public institutions to implement cost-saving measures for the purpose of curtailing the multi-year trend of increasing costs.

In some institutions, cost-saving measures have had the effect of reducing the rate at which costs have continued to increase, but only for short periods of time. Few if any institutions have been able to curtail cost increases for several consecutive years. The generally-upward trend in educational and operational costs has persisted long enough for some observers to anticipate that education policymakers will soon have to choose between three alternative scenarios for the future.

- (1) Postsecondary education will continue to increase in cost, and will consume an increasing share of the economic resources of the nation and the states, leaving declining shares of the available resources for other sectors of economic activity.
- (2) Postsecondary education will continue to increase in cost, and will be available only to those participants who can afford the increased costs. Postsecondary education participation will shrink because of the continued cost escalation.
- (3) Postsecondary institutions will succeed in curtailing the spiraling costs of instruction and administration. To avoid the first two scenarios, institutions will need to increase their productivity, including the cost-efficiency of instruction.

These potential scenarios are significant; the Commission is urged to consider their possible implications for the preparation of professional educators.

### **Implications of Postsecondary Productivity Issues for K-12 Schools and Educators**

In California as well as other states, regionally-accredited postsecondary institutions are the primary agencies for preparing sufficient numbers of qualified educators for the nation's schools. For California's K-12 schools and the Commission on Teacher Credentialing, which depend on postsecondary institutions for a growing supply of well-prepared educators, the issue of institutional productivity is significant. A substantial reduction in the supply of university-trained educators (Scenario 2) could be an important result of a continued escalation of the instructional and operational costs of postsecondary education. Clearly, however, the schools cannot accept a reduction in the supply of certificated educators during a period of continued growth in student enrollments, which is projected to continue for several years into the 21<sup>st</sup> century. If Scenario (2) begins to materialize, local school districts would have to turn to other means to staff the increasing numbers of classrooms, including emergency teachers, "waiver" teachers, and district-based training programs.

### **Increased Productivity Through Expanded Uses of Alternative Delivery Systems**

For several years, education researchers and policy analysts have urged postsecondary institutions to increase productivity by using alternative means of delivering instruction to growing numbers of university students, including growing numbers of candidates for professional credentials in education. The prospects of bringing cost increases under control while educating increased numbers of students have prompted state officials in California and other states to ask public institutions to expand their uses of electronic technologies in providing instruction and other educational services to students. For many of the same reasons, policy researchers and analysts have also suggested consideration of other cost-saving measures such as increased use of part-time instructors and development of materials-based curricula. These and similar measures have not been accepted readily by institutional faculty or administrators in most colleges or universities. The capacity of California institutions to meet the growing demand for well-prepared educators may depend substantially on the increased use of these and similar measures of cost-containment.

### **Implications for Alternative Instructional Delivery Systems in Teacher Preparation**

The circumstances outlined above are a context in which to consider the introduction and expansion of alternative systems for delivering instruction in teacher preparation. Increasingly, institutions that are regionally-accredited by WASC and professionally accredited by the Committee on Accreditation are expanding their uses of instructional technologies such as internet-based coursework, interactive electronic mail, instructional video and cable-based television. Increasingly, candidates for teaching credentials are enrolling in programs that are offered considerable distances away from the home campuses of institutions that are regionally accredited by WASC and professionally accredited by the Committee on Accreditation. Part-time instructors who are members of school district faculties rather than university faculties, and materials-based instruction rather than instructor-based lectures and discussions, are also being utilized with increasing frequency. For similar reasons, many certificated teachers are enrolling in courses and programs offered in California by institutions that are regionally accredited by agencies other than WASC. This latter

option is used by relatively few candidates for credentials, however, because of the statutory limitations that were addressed for the first time in Assembly Bill 2730.

These alternative systems for delivering instruction and professional preparation to candidates for credentials raise significant issues of quality and effectiveness. There is a growing need to investigate issues of quality and effectiveness that relate to distance learning, part-time instructors, materials-based instruction, and multiple-temporary locations for programs. At the same time, however, it is also important to consider alternative delivery systems as potential means to increase the productivity and cost-effectiveness of educator preparation in postsecondary institutions.

### **Alternative Delivery Systems in the Existing Accreditation Process (CCTC/COA)**

The Commission developed most of its current standards and policies for accrediting postsecondary institutions before the period in which sustained cost increases became a matter of serious concern among education policymakers in California. The Commission developed (a) the first set of accreditation standards during 1985-86, and (b) the accreditation policy framework during 1991-92. In its accreditation standards and policy framework, the Commission gave little or no attention to the special issues of quality and effectiveness that accompany alternative delivery systems such as distance learning, multi-site programs and cross-regional institutions, because these options were not yet being used by many institutions or candidates. Accordingly, the Commission has little or no assurance that its current system of institutional accreditation provides strong assurances that alternative delivery systems are excellent in their quality and effectiveness.

In fact, the Commission's accreditation standards and policy framework are based on assumptions and expectations that are being challenged by the increased use of alternative delivery systems. For example, the following expectations and educational practices were accepted as "normal ways of doing business in teacher preparation" when the current accreditation system was designed, adopted and implemented.

- (1) The Commission's accreditation system is based, in part, on an assumption that the instruction of credential candidates will continue to occur primarily in classes consisting of face-to-face encounters between instructors and groups of candidates. This has been the traditional means of providing instruction to students in colleges and universities; the Commission did not anticipate large-scale or rapid expansion of technology-mediated instruction when the accreditation standards and policies were created. Indeed, when the initial standards were written for the Commission in 1985-86, the *internet* and *e-mail* were not known as communication media at all. Materials-based programs were not among the Commission's considerations because the shortage of teachers was much less severe than it is today.
- (2) The agency's professional accreditation standards also assume that the instruction of credential candidates will continue to be primarily in the hands of "ladder faculty members" who have earned research-based doctoral degrees in their fields of expertise and instruction. Extensive reliance on K-12 practitioners is assumed to be part of each candidate's supervision in student teaching or intern teaching. However, the existing standards presume that formal instruction of classes is assigned to the community of postsecondary scholars and conceptualizers.
- (3) In the language of its accreditation standards and other policies, the Commission also assumed that each institution would continue to provide instruction primarily at the location of its "home campus." To be sure, the Commission discussed the growth of "off-campus programs" on several occasions before and during the period in which the accreditation system was being designed. During that period, however, these "off-campus programs" provided instruction to a very small proportion of all credential candidates. As a result, the Commission adopted a set of accreditation standards and policies that gave little attention to the practice of offering classes at many sites under the general supervision of a "home campus."

### **Summary: Emerging Concerns and Their Implications for an Accreditation Pilot Study Pursuant to AB 2730**

The increased costs of regionally-accredited postsecondary education institutions are matters of concern for the teaching profession, which relies on these institutions as its primary source of new practitioners for the schools. The need to increase institutional productivity has prompted many state and national officials to urge institutions to consider increased use of alternative delivery systems such as instructional technology, which has the promise of increasing productivity and containing costs at the same time. In response to these conditions, concerns and recommendations, increasing numbers of institutions are moving gradually away from exclusive reliance on traditional approaches to postsecondary instruction, and are offering increased numbers of courses and programs "on line" or "at convenient locations" in California.

These circumstances have emerged relatively quickly *after* the Commission adopted its current system for quality assurance in preparation programs. As a result, in 1995 the Commission invited the new Committee on Accreditation to assume responsibility for a professional accreditation system that gives little or no attention to issues of quality or effectiveness that arise when "old" systems of teacher preparation are replaced by new ones.<sup>1</sup>

<sup>1</sup>In response to a request by the Committee on Accreditation, the professional staff recently conducted a broad survey of institutional uses of multiple sites for credential preparation programs. As a result of this survey, the Committee decided to change some of its procedures that govern the size of accreditation teams, the scheduling of accreditation visits, and the assignment of accreditation reviewers to program sites. This recent study and implementation of the modified procedures will be a valuable source of information and analysis in the Accreditation Pilot Project pursuant to Assembly Bill 2730.

Given this set of circumstances, the staff believes it would be prudent for the Commission to adopt an Accreditation Pilot Project design that directly addresses the following policy question: rather than resisting the growth of alternative delivery systems in educator preparation, how could the Commission's accreditation standards and other policies become effective in addressing the special issues of quality and effectiveness that arise when "nontraditional programs" (to use the language of AB 2730) are used for educator preparation? Specifically, *what are* these special issues of quality and effectiveness, and *how could* they be addressed convincingly in an updated system of accreditation in the future? Finally, if revised standards and other policies should be used on those occasions when preparation is delivered in nontraditional ways, might the revised standards and other policies provide strong quality assurances in the context of all preparation options, including the more traditional ones?

The language of Assembly Bill 2730 authorizes the Commission to pursue such questions in the mandated Accreditation Pilot Project (see Items 4, 5, 9 and 10 in Chart One above). Provided that the pilot project investigates ways in which to recognize and accredit regionally-accredited institutions whose home campuses are located outside the WASC region, the Commission is not required to confine the pilot project to this singular purpose. Accordingly, and because of the urgency and importance of examining the additional issues and concerns mentioned above, the recommended plan for an Accreditation Pilot Project addresses a broader set of issues as well as the specific question of accrediting out-of-region institutions.

#### **Part Five: Recommended Plan for An Accreditation Pilot Project**

Following is a design and plan for an Accreditation Pilot Project that would, if authorized by the Commission, fulfill the specific purposes and requirements of AB 2730. This plan would also enable the Commission to address the additional issues and concerns outlined in Part Four above. AB 2730 authorizes but does not require the Commission to examine these issues in the pilot project. The new law provides sufficient funding to pay the costs of the suggested plan. Accordingly, the staff is recommending that the Commission either adopt or amend-and-adopt the following project plan for subsequent implementation.

#### **Policy Questions to be Addressed and Resolved in the Pilot Project**

If the recommended plan is adopted and implemented, it would generate specific new information that would enable the Commission to resolve three policy questions.

- (1) What are the most cost-effective ways in which the Commission and the Committee on Accreditation could determine the initial and continuing accreditation of regionally-accredited institutions whose "home campuses" are located outside the WASC region? Would any unique standards or preconditions be needed for the accreditation of such institutions in the future? Should any limitations or requirements be added to the *Accreditation Framework* to govern such accreditation decisions in the years following the pilot project? (See Chart One, Item 6.)
- (2) What are the most cost-effective ways in which the Commission and the Committee on Accreditation could address unique issues of program quality and effectiveness that arise when "alternative systems for instructional delivery" are used in California educator preparation? When alternative instructional systems are used by the out-of-region institutions that are the focus of Question One and/or by regionally-accredited institutions headquartered in the WASC region, what issues of program quality and effectiveness are of greatest concern, and how could they be addressed cost-effectively in an updated system of accreditation in the future? Should new standards or requirements be established for the future accreditation of institutions that use new delivery systems? Should new limitations or preconditions be added to the *Accreditation Framework* for institutions that use new delivery systems? Policy Question Two is understood to give attention to the following alternative delivery systems in educator preparation. (See Chart One, Items 7 and 9.)
  - All forms of instructional technology that are used to "mediate" instruction while instructors and learners are physically separated from each other for extended periods of learning time, including (but not limited to) on-line coursework, internet-based instruction and materials-based instruction.
  - The practice of offering instruction to candidates at multiple locations that are distant from an institution's home campus. In examining this practice, the distance between instructional locations and home campuses will be the principal variable of interest, as is suggested in AB 2730.
  - The practice of providing instruction to candidates primarily through the services of professional practitioners or other part-time instructors in circumstances in which there is little or no collaboration between them and the permanent faculty at a regionally-accredited institution of postsecondary education.
- (3) Finally, if revised standards and other policies are needed for those programs in which preparation is delivered (a) by out-of-region institutions or (b) with the use of alternative delivery systems, would the revised standards and other policies also provide important quality assurances related to all preparation practices, including traditional ones? (Please see Chart One, Item 7.)

### **Anticipated Products and Outcomes of the Pilot Project**

If this project plan is adopted, the intended outcomes of the Accreditation Pilot Project would be a set of policy recommendations that would enable the Commission to amend its accreditation standards and other policies, as needed, to address effectively the policy questions raised above. The project may also yield recommended changes, as needed, in the accreditation procedures of the Committee on Accreditation. The recommended amendments would be presented to the Commission and the Committee in a final report of the pilot project. This report would summarize the project-based evidence pertaining to the recommendations, and would include a suggested timeline for implementing and enforcing the amended standards, policies and procedures.

While the pilot project may lead to the accreditation of institutions that are ineligible for accreditation today, it is *not* anticipated that their continuing accreditation would be accomplished by extending the duration of the pilot project, as is suggested by one provision of AB 2730 (see item 12 in Chart One). Instead, the staff anticipates that, following the conclusion of the pilot project, any Commission-adopted modifications in accreditation standards, policies or procedures would apply to the affected institutions following the conclusion of the pilot project.

### **A Four-Phase Structure and Timeline for the Accreditation Pilot Project**

To enable the Commission to resolve Policy Questions One through Three on the basis of a sufficient amount of reliable new evidence by mid-2002, as AB 2730 requires, the Accreditation Pilot Project must have a compact timeline and efficient operations. The project structure would, if authorized by the Commission, have the following phases.

*Phase One* The *Preparation Phase* would begin by December 1, 1998, would conclude by June 15, 1999, and would include the following milestone events.

- Issue invitations for institutions to participate in the Accreditation Pilot Project, and solicit applications from potential participants. Screen all applications to participate in the project, and select those applicants who are most responsive to the selection criteria (below). Participation will be limited to regionally-accredited colleges and universities that meet all of the applicable standards of the Commission (Chart One, Items 6 and 7).

- Select and appoint an Accreditation Pilot Project Advisory Task Force based on the relevant provisions of this project plan (below).
- Issue a *Request for Proposals* to serve as the Evaluation Administrator for the Accreditation Pilot Project, screen all responses in relation to the eligibility and selection criteria (below), select the proposal that is most responsive and cost-effective. In a contract procurement report to the Commission, recommend that the Commission authorize the Executive Director to award a contract to the most responsive/competitive bidder.
- In consultation with the Advisory Task Force and experts in non-traditional instructional systems, (a) examine issues in the quality and effectiveness of these systems; (b) examine the adequacy of existing standards to address the quality and effectiveness of programs that use non-traditional instruction; and (c) if additional standards are needed to strengthen these assurances, draft a set of *Pilot Project Accreditation Standards*.
- Prior to the conclusion of this phase, present a report to the Commission and the COA on the selection of pilot project participating institutions, the appointment of the Advisory Task Force, and the development of *Pilot Project Accreditation Standards* (as needed).

*Phase Two* The *Early Initial Review Phase* would begin by June 16, 1999, would conclude by June 30, 2000, and would include the following significant actions.

- Forward the Commission-adopted *Pilot Project Accreditation Standards* to the project participants for their information and advice.
  - In consultation with the Advisory Task Force, review and evaluate the early initial data collection plans of the Evaluation Administrator, provide appropriate direction to this contractor, and forward information about early initial review plans to the participating institutions.
  - Oversee the work of the Evaluation Administrator in arranging and conducting all data collection activities including early initial reviews of participating institutions based on the *Pilot Project Accreditation Standards*.
  -
- In consultation with the Advisory Task Force and the participating institutions, review and evaluate an *Early Initial Review Report* by the Evaluation Administrator, give the contractor needed direction, and arrange for the report to be presented to the Commission and the COA for discussion and action as needed. It is anticipated that the results of early initial reviews may lead to proposed changes in the *Pilot Project Accreditation Standards*.

*Phase Three* The *Intensive Review Phase* would begin by July 1, 2000, would conclude by June 30, 2001, and would include the following milestone actions.

- Distribute the Commission-adopted *Early Initial Review Report* to the project participants for their information and advice. Include any changes in the *Pilot Project Accreditation Standards* that the Commission has adopted.
- In consultation with the Advisory Task Force, review and evaluate the intensive data collection plans of the Evaluation Administrator, provide appropriate direction to the contractor, and forward information about intensive review plans to the participating institutions.
- Oversee the Evaluation Administrator's data collection plans and activities, including intensive reviews of the participating institutions based on the *Pilot Project Accreditation Standards*.
- In consultation with the Advisory Task Force and the participating institutions, review and evaluate an *Intensive Review Report* by the Evaluation Administrator, give the contractor needed direction, and arrange for the report to be presented to the Commission and the COA for discussion and action as needed. Again, the *Pilot Project Accreditation Standards* may need to be modified based on the second-year results.

*Phase Four* The *Specialized Review and Final Report Phase* would begin July 1, 2001, would conclude on March 1, 2002, and would include the following steps.

- Forward the Commission-adopted *Intensive Review Report* (with any modifications in the pilot project standards) to the project participants for their information and advice.
- In consultation with the Advisory Task Force and the participating institutions, identify specialized reviews that are needed to examine specific issues that were not resolved in Phase Three, provide appropriate direction to the Evaluation Administrator, and forward information about specialized review plans to the participating institutions.
- Oversee the work of the Evaluation Administrator in arranging and conducting specialized reviews as determined by the Advisory Task Force and the project staff.
- In consultation with the Advisory Task Force and the participating institutions, review and evaluate a *Pilot Project Final Report* by the Evaluation Administrator, which shall summarize the year-one and year-two results, and shall include the findings of specialized reviews completed in Phase Three.
- Arrange for the *Pilot Project Final Report* to be presented to the Commission and the COA and, with Commission authorization, forward the final report to the Legislature by August 15, 2002, as required by AB 2730.

Following the conclusion of Phase Four of the project structure, the Commission would have opportunities to amend the accreditation standards and other policies, as needed, based on the results of the Accreditation Pilot Project. If these amendments require changes in the Education Code, the Commission could sponsor the necessary legislation during the 2003 legislative session. Changes in accreditation procedures, if needed, could be made by the Committee on Accreditation within the authority of existing statutes.

### **Functions and Composition of an Accreditation Pilot Project Advisory Task Force**

The Pilot Project Advisory Task Force would advise the Commission, the Committee on Accreditation, the Executive Director, the Evaluation Administrator and the staff in the following specific ways.

- (1) Advise the Executive Director, the Committee on Accreditation and the Commission regarding *Pilot Project Accreditation Standards* that, if needed, would serve as the primary basis for early initial reviews in Phase One, intensive reviews in Phase Two, and specialized reviews in Phase Three.
- (2) Assist the pilot project staff in reviewing and evaluating the plans and reports of the Evaluation Administrator, and provide advice to the staff and contractor.
- (3) Provide information about the purposes and progress of the Accreditation Pilot Project to education institutions and organizations throughout California, in consultation with the pilot project staff and participating institutions.
- (4) Represent the organizational perspectives of education institutions and organizations in California to the Commission, the COA, the Executive Director and the project staff. At the same time, contribute substantive expertise to discussions of the policy issues to be addressed and resolved in the project.

To accomplish these four functions, the Accreditation Pilot Project Advisory Task Force would be appointed by the Executive Director, who would appoint one nominee provided by each of the following nominating officials. To enable the Executive Director to appoint a task force with a balanced composition, each nominating official would be asked to provide more than one nomination.

- Secretary of Child Development and Education
- Author of Assembly Bill 2730
- President, State Board of Education
- State Superintendent of Public Instruction
- Chancellor, California State University
- President, University of California
- President, Association of Independent California Colleges and Universities
- Executive Director, California Postsecondary Education Commission
- Executive Director, Western Association of Schools and Colleges
- Co-Chairs, Committee on Accreditation
- President, California Teachers Association
- President, California Federation of Teachers
- President, California School Boards Association
- President, Association of California School Administrators
- President, California Council on the Education of Teachers
- The executive officer of each participating institution in the pilot project.

Assembly Bill 2730 appropriated funds that will be sufficient to pay the necessary travel expenses of the Advisory Task Force members. Stipends or honoraria will not be provided. Institutions that are participating in the pilot project will support the costs of their own representatives on the Advisory Task Force.

### **Participating Institutions: Eligibility, Selection and Participation**

In this pilot project plan, the term "participating institutions" refers to the regionally-accredited colleges and universities whose educator preparation programs would be reviewed in Phases Two, Three and Four of the project structure. The pilot project will include at least three, but no more than six, institutions that are regionally accredited by accrediting bodies other than WASC. The participating institutions that match this description will comprise Group One in the pilot project. It is anticipated that several of these postsecondary institutions will submit applications to participate in Group One because of their long-term interest in preparing teachers for California public schools.

The pilot project may also include educator preparation programs that are offered by institutions that are regionally accredited by WASC (Chart One, Item 7). Some of these campuses, including ones that are already accredited to prepare teachers in California, may apply for participation in order to influence the course of the policymaking study. Institutions of this type that are selected for participation will form Group Two.

During the Preparation Phase of the project, the Executive Director will distribute an *Invitation to Apply for Participation* as widely as possible among the eligible institutions. The *Invitation to Apply for Participation* will describe the following eligibility requirements and selection criteria, which are recommended for the Accreditation Pilot Project.

- (1) **Eligibility Requirements: Group One.** To be eligible to participate in Group One, an applicant institution must be (a) one that grants baccalaureate degrees, (b) regionally accredited by one of the five regional accrediting bodies other than WASC, and (c) in good standing with the United States Department of Education in relation to federal laws pertaining to non-discrimination and student loans. Each applicant institution must submit a letter of application, a current response to each of the applicable standards of the Commission, a commitment to participate in program reviews in the pilot project, and any other required information or evidence.
- (2) **Eligibility Requirements: Group Two.** To be eligible to participate in Group Two, an applicant institution must be (a) one that grants baccalaureate degrees, (b) regionally accredited by the Western Association of Schools and Colleges (WASC), and (c) in good standing with the United States Department of Education in relation to federal laws pertaining to non-discrimination and student loans. Each applicant institution must submit a letter of application, a current or recent response to each of the applicable standards of the Commission, and any other required information or evidence.
- (3) **Selection Criteria.** The selection of participating institutions for Groups One and Two will be based on: (a) the fulfillment of all applicable program standards that have been adopted by the Commission; (b) the capacity and demonstrated commitment of the applicant institution to prepare teachers for California's Class-Size Reduction Program (K-3); (c) the capacity and demonstrated commitment of the applicant to prepare teachers for California's shortage specialties such as (but not limited to) CLAD teaching, BCLAD teaching, mathematics teaching, science teaching, and special education; (d) the capacity and demonstrated commitment of the applicant to prepare teachers for California's hard-to-staff schools; (d) the capacity and commitment of the applicant to participate in required reviews and provide needed information, and (e) evidence of the applicant's collaborative relationships with local education agencies that currently employ substantial numbers of teachers with emergency permits and credential waivers.
- (4) **Participation Requirements.** Participating institutions in Groups One and Two will, following their selection for the pilot project, be required to: (a) respond to each of the *Pilot Project Accreditation Standards* as adopted by the Commission in June, 1999; (b) host on-site/multi-site reviews of educator preparation in relation to each of the *Pilot Project Accreditation Standards* during Phases Two, Three and Four (as needed); and (c) respond to other requests for project-relevant data from the Executive Director and/or the Evaluation Administrator.
- (5) **Credential Recommendation Authority.** Participating institutions in Groups One and Two that are not already approved or accredited to recommend candidates for credentials will, from January 1, 2000 through June 30, 2002, have the authority to recommend candidates for credentials provided the participating institutions remain in good standing as participants in the pilot project.

The project staff will communicate these eligibility, selection and participation policies to eligible institutions and other education organizations before and during the pilot project. The Executive Director and the Committee on Accreditation will select the participating institutions based solely on the selection criteria (above). The Executive Director will enforce the requirements for their participation, and will de-select any institutions that do not fulfill the responsibilities of participation in the Accreditation Pilot Project.

### **Evaluation Administration Contractor: Eligibility, Selection and Scope of Work**

In the pilot project plan, the term "Evaluation Administrator" refers to a contractor to be selected by the Executive Director and approved by the Commission to administer the evaluation design of the Accreditation Pilot Project. If the Commission adopts this plan, the Executive Director will disseminate an *Invitation to Apply for an Evaluation Contract* by (a) advertising the opportunity in the *California State Contracts Register*; (b) posting the invitation on the Commission's Website; and (c) sending the invitation to experienced evaluators, evaluation centers, postsecondary schools of education, and state agencies in the field of education. Each recipient of the *Invitation to Apply for an Evaluation Contract* will be invited to obtain a *Request for Proposals*, which will be forwarded to anyone who requests it, and will set forth the requirements for submitting contract bids.

The *Invitation to Apply for an Evaluation Contract* will describe the following criteria and requirements for contractor selection and performance.

- (1) **Eligibility Requirements**. To be eligible for consideration as a contract bidder, the applicant must (a) have earned an advanced degree in educational evaluation (or a closely related field) at a regionally-accredited institution of postsecondary education; (b) have served a minimum of one year of full-time service (or equivalent) as an administrator of evaluation(s) in education; and (c) submit a proposal that is responsive to the RFP requirements.
- (2) **Selection Criteria**. Selection of an Evaluation Administrator will be based on a thorough review and scoring of each eligible contract bid in relation to criteria to be included in the RFP including (but not limited to) the following criteria: (a) the extent, relevance and quality of each bidder's formal training in the field of education evaluation; (b) the scope, nature and duration of each bidder's professional experience as an evaluation administrator in education; (c) the extent and depth of each bidder's participation in institutional or professional accreditation systems; (d) the quality of each bidder's response to the RFP requirements; (e) the strength of each bidder's professional references as an experienced evaluation administrator in education; and (f) the availability and capacity of each bidder to carry out the RFP scope of work according to the four-phase timeline of the Accreditation Pilot Project.
- (3) **Contractor Scope-of-Work Requirements**. The contractor's Scope of Work, to be summarized in the *Invitation to Apply for an Evaluation Contract* and described fully in the *Request for Proposals*, will include (but not be limited to) the following responsibilities: (a) draft and develop specific data questions that address Policy Questions One through Three in this pilot project plan; (b) draft and develop an appropriate data collection plan for each data question; (c) confer professionally with the Accreditation Pilot Project Advisory Task Force and the participating institutions about the data questions and plans; (d) collect and compile evaluation data in relation to Policy Questions One through Three; (e) draft and develop annual reports that describe the pilot project purposes, design, methods, findings and conclusions, in accordance with the four-phase timeline of the project; and (f) confer with the project staff and respond to appropriate direction, as needed, in carrying out the contractor's responsibilities.

In the review of proposals, the project staff will determine the eligibility of each bidder in relation to the eligibility requirements (above). Once a bidder's eligibility is confirmed, the proposal will be independently evaluated and scored in relation to the selection criteria (above) by each member of a Proposal Review Team to be appointed by the Executive Director. All members of the Proposal Review Team will have substantive expertise in the fields of evaluation, accreditation, teaching or educator preparation, and will participate in a focused training session that will be designed to maximize the consistency, accuracy and fairness of each reviewer's scores. The review of proposals will comply with all requirements of the State Administrative Manual. The staff will present a contract recommendation to the Commission, which will (a) describe the solicitation and selection procedures that are used, (b) summarize the reviewers' evaluations of the contract bids; (c) indicate the ways in which the recommended contractor was most responsive to the RFP and most cost-effective in the bidding; and (d) include a budget for the multi-year evaluation contract. The Executive Director will enter into a contract with the selected bidder following the Commission's authorization to do so in April, 1999.

### **Further Reports to the Commission Regarding the Accreditation Pilot Project**

The staff anticipates that it should be feasible to present further reports on this project to the Commission and the Committee on Accreditation according to the following schedule.

---

COA Report Schedule	CCTC Report Schedule	Primary Focus of Each Report
January 1999		Present this project plan to the Committee on Accreditation for discussion and feedback.
	April 199	Recommend the award of a contract to a proposed Evaluation Administrator for the Accreditation Pilot Project.
May 1999	June 1999	Report on the selection of participating institutions, and recommend a set of <i>Pilot Project Accreditation Standards</i> based on the advice of the Pilot Project Advisory Task Force as well as consultations with the participating institutions.
May 2000	June 2000	Report on the Early Initial Review Phase of the pilot project, and recommend changes that may be needed in the <i>Pilot Project Accreditation Standards</i> and/or this pilot project plan.
May 2001	June 2001	Report on the Intensive Review Phase of the pilot project, and recommend changes that may be needed in the <i>Pilot Project Accreditation Standards</i> and/or this pilot project plan.
May 2002	June 2002	Report on the Specialized Review Phase and present a final three-year report of the Accreditation Pilot Project. Recommend changes that may be needed in the <i>Pilot Project Accreditation Standards</i> , the existing accreditation standards or other policies of the Commission, the existing accreditation procedures of the Committee on Accreditation, and/or the Education Code pertaining to professional accreditation in California education.



[Back to the Top](#) |

[Back to November 1998 Agenda](#) |

[Back to Agenda Archives](#) |

[Return to About CTC](#) |





# California Commission on Teacher Credentialing

**Meeting of:** November 5-6, 1998

**Agenda Item Number:** PERF-1

**Committee:** Performance Standards

**Title:** Informal Study of the Impact of Proposition 227 on the Preparation of Future Teachers: Initial Report of Findings and Recommendations

✓ Report

**Prepared by:** David Wright, Ph.D., Director  
Office of Policy and Programs

---

**Alignment of Teacher Preparation, Assessment and  
Certification Policies with the Requirements of  
Proposition 227: An Interim Report**

**Office of Policy and Programs  
October 23, 1998**

---

## Executive Summary

On June 2, 1998, California voters enacted a ballot initiative entitled "English for the Children" (Proposition 227), which now governs the K-12 education of the 1.4 million students in California public schools who are not native speakers of English. The present report, which was requested by the Commission on August 21, 1998, examines the implications of Proposition 227 for state policies that govern the preparation, assessment and certification of future teachers. The report provides an in-depth analysis of those provisions of Proposition 227 that are most clearly related to teacher preparation, assessment and certification policies. It examines state laws that were enacted prior to June 2, 1998, and analyzes relationships between these pre-1998 laws and Proposition 227. The report suggests that teacher policies, which are the Commission's responsibility, should be aligned with the curriculum and instructional methodologies that prevail in the education of English Learners as a result of Proposition 227. To determine the best basis for such an alignment, the report examines (a) federal requirements for the education of English Learners, (b) state policies and regulations that were recently adopted by the State Board of Education, and the administrative handbook entitled *State Program for English Learners* by the California Department of Education, under the direction of the State Superintendent of Public Instruction. Following these analyses, the report suggests future directions for the investigation into ways in which the Commission's teacher certification policies could be aligned with the needs of English Learners, their schools and their teachers following the enactment of Proposition 227.

### Policy Issue to be Resolved by the Commission

What are the most effective and promising K-12 curriculum and instruction policies that could serve as bases for the Commission to re-align its policies pertaining to the preparation, assessment and certification of teachers for English Learners in the schools?

### Relationship to the Commission's Strategic Goals and Objectives

**Goal:** Promote educational excellence in California schools.

**Goal:** Work with schools of education & school districts to assure quality teachers.

### Fiscal Impact Statement

The Commission's base budget for the 1998-99 fiscal year includes sufficient resources to support the costs of this investigation without a budget augmentation or a redirection of resources from any other current functions of the agency.

### Important Note

The following report contains important information that is relevant to the Commission's policy deliberations but could not be summarized in the above spaces.

## Alignment of Teacher Preparation, Assessment and Certification Policies with the Requirements of Proposition 227: An Interim Report

Office of Policy and Programs  
October 23, 1998

On June 2, 1998, California voters enacted a ballot initiative entitled "English for the Children" (Proposition 227), which now governs the K-12 education of the 1.4 million students in California public schools who are not native speakers of English. This action added twelve new sections to the State Education Code. Proposition 227 did not establish or amend any statutes that directly govern the preparation, assessment or certification of teachers. The new statute, however, has important implications for these key functions of the California Commission on Teacher Credentialing. On August 21, 1998, the Commission considered an initial staff report that raised several questions about the potential effects of Proposition 227 on the Commission's work. At the conclusion of that discussion, the Commission adopted a recommendation that the staff investigate the implications of the ballot initiative and report findings to the Commission beginning in November 1998.

In investigating the potential effects of Proposition 227, the Commission's staff has focused on those provisions of the new law that clearly relate to the responsibilities of the Commission. One purpose of the investigation is to determine whether changes have occurred in the laws that the Commission administers. A second purpose is to determine what non-statutory policies of the Commission may need to be reconsidered in order to be consistent with Proposition 227.

The present report provides some initial findings of the staff's investigation, particularly pertaining to (1) the language of the new law and its effects on pre-existing statutes; (2) the regulations of the State Board of Education and their implications for K-12 curriculum and instruction; and (3) the administrative actions of the State Superintendent of Public Instruction and their implications for K-12 curriculum and instruction. This report also identifies further questions that remain to be resolved in subsequent reports to the Commission.

**Part One:**  
**The Language of Proposition 227 and Its Implications for**  
**Teacher Preparation, Assessment and Certification**

In Chart One beginning on the following page, the left column reprints the verbatim language of Proposition 227 that has potential implications for the Commission. In the right column, the staff discusses the possible implications, identifies elements of the proposition that lacked clarity, and identifies questions to be resolved through further investigation. Chart One includes only those provisions of Proposition 227 that have direct or indirect implications for the Commission as a teacher licensing agency. For the full text of the entire ballot-based statute, please see Attachment One at the conclusion of this report.

**Chart One: The Language of Proposition 227 and**  
**Its Implications for the**  
**Policy Responsibilities of the Commission**

<b>Language of Proposition 227 that has Potential Implications for the Commission</b>	<b>Discussion of Implications and Aspects that Need Clarity and Resolution</b>
<p>(1) <u>Responsibilities of Public Schools</u>. The public schools of California have a moral obligation and a constitutional duty to provide all of California's children, regardless of their ethnicity or national origins, with the skills necessary to become productive members of our society, and of these skills, literacy in the English language is among the most important . . .</p>	<p><u>Implications for the Commission</u>. The preparation of teachers should give priority emphasis to providing <i>all students with the skills necessary to become productive members of our society</i> . . . Teacher preparation and certification should give high priority to learning to teach <i>literacy in the English language</i> . . .</p>
<p>(2) <u>General Mandates</u>. All children in California public schools shall be taught English as rapidly and effectively as possible. Subject to the exceptions provided in . . . (Item 8 below), all children in California public schools shall be taught English by being taught in English. In particular, this shall require that all children be placed in English language classrooms.</p>	<p><u>Implications for the Commission</u>. The preparation of teachers should give priority attention to teaching <i>English as rapidly and effectively as possible for all children in California public schools</i>. Future teachers will need to be skilled in teaching English by teaching in English.</p>
<p>(3) <u>Definition: English Language Classroom</u>. <i>English language classroom</i> means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language.</p>	<p><u>Interpretation</u>. Judging from the definitions of other terms used in the new statute, the intent appears to be that English language classrooms are of two types, which are defined below.</p> <p>Teaching personnel in English language classrooms must <i>possess a good knowledge of the English language</i>.</p> <p><u>Questions</u>. What constitutes <i>a good knowledge of the English language</i>? How could this requirement be defined and enforced?</p>
<p>(4) <u>Specific Mandate: Sheltered English Immersion and Two Related Definitions</u>. Children who are English learners shall be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year.</p> <p><u>Definition</u>: <i>English learner</i> means a child who does not speak English or whose native language is not English</p>	<p><u>Interpretation</u>. To be an <i>English learner</i>, a child must <i>not speak English or else</i> be a student <i>whose native language is not English</i>. In either case, an <i>English learner</i> is also a student <i>who is not currently able to perform ordinary classroom work in English</i>.</p> <p>Students who match this two-part definition must <i>be educated through sheltered English immersion</i> which is an</p>

and who is not currently able to perform ordinary classroom work in English, also known as a Limited English Proficiency or LEP child.

Definition: *Sheltered English immersion* or *structured English immersion* means an English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language.

English language acquisition process.

In this process, *nearly all classroom instruction is in English*. However, *the curriculum and presentation (are) designed for children who are learning the language*.

Finally, the structured English immersion process is *for young children*.

Structured English immersion appears to constitute the first of two types of English language classrooms (above).

Implications for the Commission. Teachers who are assigned to English learners must be prepared to provide *structured English immersion* in which *the curriculum and presentation (are) designed for children who are learning the language*.

(5) Grouping Options for English Learners. Local schools shall be permitted to place in the same classroom English learners of different ages but whose degree of English proficiency is similar. Local schools shall be encouraged to mix together in the same classroom English learners from different native-language groups but with the same degree of English fluency.

Interpretation. In both of these grouping options, the focus of the ballot proposition is the students' *degree of English proficiency* or *degree of English fluency*. In both options, local schools are *permitted* or *encouraged* to mix English learners of *different ages* or *from different native-language groups*. However, schools are not required to use these options for grouping students.

Implications for the Commission. To the extent these options are used for grouping English learners in classrooms, they would have strong implications for the management of instruction in structured English immersion classrooms, which would, in turn, have possible implications for the preparation of classroom teachers.

(6) Specific Mandate: English Mainstream Classroom and a Related Definition. Once English learners have acquired a good working knowledge of English, they shall be transferred to English language mainstream classrooms.

Definition: *English language mainstream classroom* means a classroom in which the pupils either are native English language speakers or already have acquired reasonable fluency in English.

Interpretation: English language mainstream classrooms appear to be the second of two types of English language classrooms (above). Unlike the first type (structured English immersion), English language mainstream classrooms are defined only in terms of the students who are placed in them: *the pupils either are native English speakers or already have acquired reasonable fluency in English*. The only stipulations pertaining to curriculum or instruction are ones that apply to all English language classrooms (see Item 3).

(7) Bilingual Education Option/Mandate and a Related Definition. Under . . . parental waiver conditions (see Item 8), children may be transferred to classes where they are taught English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. Individual schools in which 20 pupils or more of a given grade level receive a waiver shall be required to offer such a class; otherwise, they must allow the pupils to transfer to a public school in which such a class is offered.

Definition: *bilingual education/native language instruction* means a language acquisition process for pupils in which much or all instruction, textbooks, and teaching materials are in the child's native language.

Implications for the Commission. To the extent that *bilingual education techniques* are needed as a result of the *parental waiver conditions* (defined in Item 8), the schools will need to employ and retain teachers with bilingual education preparation and competence.

Alternatively, *other generally recognized educational methodologies* may be used for English learners under parental waiver conditions.

Questions for the Commission. How many bilingual teachers will be needed? What *other educational methodologies* will be used? How many teachers would need to be prepared to use them?

(8) Parental Waiver Conditions. The requirements

Questions for the Commission. How many teachers will

(pertaining to structured English immersion and English language mainstream classrooms) may be waived with the prior written informed consent, to be provided annually, of the child's parents or legal guardian under the circumstances specified below . . .

The circumstances in which a parental exception waiver may be granted . . . are as follows:

- (a) Children who already know English . . .
- (b) Older children . . . age 10 years or older . . . (who need) an alternate course of educational study . . . (for) rapid acquisition of basic English language skills . . .
- (c) Children with special needs . . .

be needed to teach classes that are offered as a result of parental waivers?

How many teachers will be needed to use *bilingual education techniques* among *children who already know English* (and for whom a language other than English is being learned for the first time)?

How many teachers will be needed to use *bilingual education techniques* among *older children . . . age 10 years or older*? How many will be needed in departmentalized schools where teachers serve on the basis of Single Subject Teaching Credentials?

How many teachers will be needed to use *bilingual education techniques* among *children with special needs*? How many will also need to earn special education teaching credentials?

**Conclusion of Part One: Summary of Proposition 227**

Proposition 227 added the language in the left column above to the California Education Code, and not to the California State Constitution. Accordingly, the provisions of the ballot initiative take effect alongside other requirements of the Education Code that (a) predated the ballot initiative and (b) are not superseded or contradicted by the initiative. The questions recorded in the right column should be kept in mind during reviews of pre-1998 statutes (in Part Two) and recent state policy documents that also affect the preparation of teachers for English Learners (Part Three).

**Part Two:  
Summary of Pre-1998 Statutes Pertaining to the  
Preparation, Assessment and Certification of Teachers for  
English Language Learners in the Schools**

The Education Code has several sections that govern the preparation, assessment and certification of teachers for English learners in the public schools of California (K-12). These sections were added to the code prior to Proposition 227, were not amended or repealed by it, and therefore remain in effect today. These provisions of state law are summarized briefly in the left and center columns of Chart Two below. The right column provides an initial analysis of relationships between the pre-1998 laws and the specific provisions of Proposition 227.

**Chart Two:  
Pre-1998 Sections of the Education Code Pertaining to the  
Certification of Teachers for English Language Learners, and  
Relationships Between These Laws and Proposition 227**

<b>Topical Summary of Each Relevant Section of Pre-1998 Law</b>	<b>Verbatim Language of Each Law and Commission Actions to Implement Specified Laws</b>	<b>Potential Relationships Between Pre-1998 Laws and Proposition 227</b>
(a) Sections 44252 and 44320.2 set forth existing legal requirements for teacher certification related to each applicant's English language skills.	<ul style="list-style-type: none"> <li>• <i>The Commission . . . shall not issue initially any credential, permit (or) certificate . . . to any person to serve in the public schools unless the person has demonstrated proficiency in basic reading, writing, and mathematics skills in the English language</i> (by passing the basic academic skills examination that the Commission administers).</li> </ul>	These provisions of existing laws are consistent with the stipulation of Proposition 227 that <i>teaching personnel</i> (in English language classrooms) <i>possess a good knowledge of the English language</i> (see Chart One, Item 3). This requirement of Proposition 227 is being implemented through enforcement of Education Code Sections 44252 (currently) and 44320.2

	<ul style="list-style-type: none"> <li>• <i>The Commission shall ensure that oral proficiency in English is a criterion for scoring each candidate's performance in each assessment (for which the Commission has adopted an initial development plan pursuant to SB 2042 of 1998).</i></li> </ul>	(prospectively).
(b) Section 44253.1 sets forth the Legislature's findings, declarations and intentions regarding the preparation of teachers for students with limited-English proficiency (LEP).	<p><i>The Legislature recognizes that limited-English-proficient pupils have the same right to a quality education as all California pupils. For these pupils to have access to quality education, their special needs must be met by teachers who have essential skills and knowledge related to English language development, specially designed content instruction delivered in English, and content instruction delivered in the pupils' primary languages. It is the intent of the Legislature that the Commission on Teacher Credentialing implement a system to certify those teachers who have the essential skills and knowledge necessary to meet the needs of California's limited-English-proficient pupils.</i></p>	<p>This statement of legislative findings is harmonious with the statement of purpose in Proposition 227 (see the verbatim language in Chart One, Item 1). Although the two statutory statements are not identical in language, they are generally consistent with each other.</p> <p>The category of pupils called <i>limited-English-proficient pupils</i> matches the definition for <i>English learners</i> in Proposition 227 (Chart One, Item 4).</p>
(c) Section 44253.2 provides statutory definitions of key terms that are used in other sections of code that govern the certification of teachers for limited-English-proficient students.	<ul style="list-style-type: none"> <li>• <i>"Instruction for English language development" means instruction designed specifically for limited-English-proficient pupils to develop their listening, speaking, reading, and writing skills in English.</i></li> <li>• <i>"Specially designed content instruction delivered in English" means instruction in a subject area, delivered in English, that is specially designed to meet the needs of limited-English-proficient pupils.</i></li> </ul>	<p>These definitions of two forms of instructional services to be provided to limited-English-proficient students are consistent with the definition in Proposition 227 of <i>sheltered English immersion or structured English immersion</i> (see Chart One, Item 4).</p>
(d) Section 44253.3 requires the Commission to issue a certificate to a teacher who is competent to provide two of the instructional services that are defined in Section 44253.2 (see Item (b) above).	<p>The requirements for this certificate include <i>passage of one or more examinations that the Commission determines are necessary for demonstrating the knowledge and skills required for effective delivery of the services authorized by the certificate.</i></p> <p>The Commission has implemented this section by developing three CLAD Examinations, and by issuing CLAD Certificates to teachers who pass the examinations.</p>	<p>Earning this certificate prepares a teacher to provide <i>sheltered English immersion</i> or <i>structured English immersion</i> as defined in Proposition 227 (see Chart One, Item 4). Holding this certificate authorizes a teacher to provide <i>sheltered/structured English immersion</i> as defined in Proposition 227.</p>
(e) Section 44253.2 also provides statutory definitions of two other terms that are used in sections of code that govern the certification of teachers for limited-English-proficient students.	<ul style="list-style-type: none"> <li>• <i>"Content instruction delivered in the primary language" means instruction in a subject area delivered in the primary language of the pupil.</i></li> <li>• <i>"Instruction for primary language development" means instruction designed to develop a pupil's listening, speaking, reading, and writing skills in the primary language of the pupil.</i></li> </ul>	<p>These definitions of two forms of instructional services for limited-English-proficient students are consistent with the definition of <i>bilingual education/native language instruction</i> in Proposition 227 (see Chart One, Item 7).</p>
(f) Section 44253.4 requires the	The requirements for this certificate	Earning this certificate prepares a

<p>Commission to issue a certificate to a teacher who is competent to provide four of the instructional services that are defined in Section 44253.2 (see Items (b) and (d) above).</p>	<p>include <i>passage of one or more examinations that the Commission determines are necessary for demonstrating the knowledge and skills required for effective delivery of the services authorized by the certificate.</i></p> <p>The Commission has implemented this code section by developing three BCLAD Examinations, and by issuing BCLAD Certificates to teachers who pass the examinations.</p>	<p>teacher to provide <i>structured English immersion</i> and <i>bilingual education/ native language instruction</i> as defined in Proposition 227 (see Chart One, Items 4 and 7). Holding this certificate authorizes a teacher to provide <i>structured English immersion</i> and <i>bilingual education/ native language instruction</i> as defined in Proposition 227.</p>
<p>(g) Section 44253.5 governs the scope and content of the examinations required by Sections 44253.3 and 44253.4 (above).</p>	<ul style="list-style-type: none"> <li>• <i>The scope and content of the examinations shall consist of the professional skills and knowledge that are determined by the Commission to be necessary for effective teaching of limited-English-proficient pupils.</i></li> <li>• <i>The scope and content . . . shall include, but need not be limited to, the following domains of professional knowledge and skill:</i> <ol style="list-style-type: none"> <li>(1) <i>First- and second-language development and the structure of language.</i></li> <li>(2) <i>Methodology of English language development and specially designed content instruction in English.</i></li> <li>(3) <i>Culture and cultural diversity.</i></li> <li>(4) <i>Methodology of content instruction in the pupil's primary language.</i></li> <li>(5) <i>The culture associated with a specific language group.</i></li> <li>(6) <i>Competence in a language other than English that is spoken by limited-English- proficient pupils in California.</i></li> </ol> </li> </ul> <p>The Commission has implemented these knowledge/skill domains in the CLAD/ BCLAD Examinations.</p>	<p>This section of pre-1998 law is more specific than Proposition 227 in defining the domains of professional knowledge and skill that are needed by teachers of LEP pupils. If these domains of knowledge and skill are found to be essential for <i>structured English immersion</i> and <i>bilingual education/native language instruction</i>, as specified in Proposition 227, then no change in state law would be necessary. If not, then the Commission may consider sponsoring an amendment to Section 44253.5. The criterion for this legislative issue should be the extent to which the pre-1998 domains of knowledge and skill are needed by teachers of English learners under the terms of Proposition 227 as they are implemented by the State Board of Education and the State Superintendent of Public Instruction.</p>
<p>(h) Section 44261 authorizes the Commission to issue a Multiple or Single Subject Teaching Credential with an Emphasis to be designated by the Commission.</p>	<p>The Commission has implemented this statute by issuing Multiple and Single Subject Teaching Credentials with a CLAD Emphasis, and Multiple and Single Subject Teaching Credentials with a BCLAD Emphasis.</p>	<p>Are these the requirements and authorizations of these teaching credentials aligned with Proposition 227 as it is implemented by the State Board of Education and the State Superintendent of Public Instruction?</p>
<p>(i) Section 44259 requires the Commission to adopt standards of program quality and effectiveness for professional preparation programs leading to the</p>	<p>The Commission has implemented this statute, in part, by adopting Standards of Program Quality and Effectiveness for Multiple and Single Subject Teaching Credentials with a CLAD/BCLAD Emphasis.</p>	<p>Are these existing standards aligned with the curriculum and instructional methodologies that will be prevalent as a result of implementation of Proposition 227 by the State Board of Education and the State</p>

issuance of teaching credentials.		Superintendent of Public Instruction?
(j) Section 44253.5 requires the scope and content of the examinations be congruent with the scope and content of the Commission- approved professional preparation programs for prospective teachers of limited-English-proficient pupils.	The Commission has implemented this statute by asking its advisors to prepare one set of content specifications for the examinations and the preparation program standards, which have previously been adopted.	Are the current exam specifications and program standards aligned with the curriculum and instructional methods that will be prevalent under the regulations of the State Board of Education and the administrative actions of the State Superintendent of Public Instruction?

**Part Three:**  
**Alignment of Credential Requirements with**  
**Curriculum and Instruction Requirements for Teachers of**  
**English Learners in the Schools (K-12)**

Enactment of Proposition 227 did not amend or repeal the pre-1998 state laws that govern the preparation, assessment and certification of teachers of English Learners (limited-English-proficient students) in the K-12 schools. The pre-1998 statutes are consistent with Proposition 227, and they remain in effect.

The pre-1998 statutes assign considerable authority and responsibility to the Commission to (a) determine the scope and content of programs for prospective teachers of limited-English-proficient students by adopting and implementing standards of quality and effectiveness for professional preparation programs for these prospective teachers; and (b) assess the professional knowledge and skills of teachers of English Learners after determining the scope and content of certification examinations. These statutes identify five broad domains of professional knowledge and skill that should be included in the programs and examinations. Overall, however, the Commission has extensive statutory authority to determine the specific content of the programs and examinations related to the five domains. Additionally, the Commission may, at its discretion, make the scope of the examinations and programs broader than the five domains of professional knowledge and skill. These duties and authorizations of the Commission were not amended or repealed by Proposition 227, so they remain in effect.

While Proposition 227 did not bring about changes in the *statutes* that govern the preparation, assessment or certification of teachers, the ballot initiative was designed to change *the curriculum and methods of classroom instruction* that are prevalent in the education of English Learners in the public schools. For the modified curriculum and methodology of classroom instruction to be as effective as possible for these students, the Commission may need to change the preparation or assessment of prospective teachers. Just as the scope, content and standards for CLAD and BCLAD Certificates and Credentials *were aligned* with the curriculum and methods of instruction that were prevalent *prior to* the enactment of Proposition 227, so the scope, content and standards for these certificates and credentials *should be re-aligned* with the new curriculum and methods of instruction that are/will be prevalent *following* the passage of Proposition 227.

The staff's study of the impact of Proposition 227 has begun to explore changes that are taking place in the prevailing curriculum and methodology of classroom instruction in the aftermath of Proposition 227. The purpose of this examination is to determine what changes need to be made, if any, in the Commission's standards and examinations in order for these to be aligned with the curriculum and instructional methods that are/will be prevalent in California schools as a result of Proposition 227. This section of the report provides a preliminary analysis of *some* of the available information regarding curriculum and instruction for English Learners in the schools. Additional information about this topic is still under analysis by the staff. Further information may also be available and is still being secured by the staff. Subsequent reports to the Commission will summarize these additional data about curriculum and instruction for English Learners following the enactment of Proposition 227.

**Federal Legal Requirements Pertaining to the Education of English Learners**

The requirements of federal law pertaining to the education of English Learners derive primarily from Title VI of the Civil Rights Act of 1964, and from federal court decisions in *Lau v. Nichols* (1976) and *Castañeda v. Pickard* (1978). These federal laws and rulings require a school district to teach English and provide access to academic content instruction so English Learners have meaningful opportunities to participate in the district's educational programs. Federal requirements do not obligate a school district to use particular educational methods among English Learners. However, the *Castañeda* decision established a three-part test to determine if a district is meeting its legal obligations to English

Learners.

- (1) The district's program of instruction for English Learners must be based on an educational theory that is recognized as sound by experts and researchers in this field of education.
- (2) The school district must implement programs and practices that are reasonably calculated to carry out the educational theory the district has selected. This part of the test includes a requirement that instructional staff who teach English Learners either (a) hold state credentials for teaching English Learners or (b) are engaged in training to earn those credentials.
- (3) Finally, the school district must monitor the implementation and evaluate the effectiveness of its instructional programs for English Learners, must measure the progress of English Learners, and must modify its program to ensure their success.

The federal requirements do not specify a required curriculum for English Learners, and do not prescribe instructional methods for their teachers to use. For these reasons, federal laws cannot serve as a curricular or educational basis for the Commission to align its teacher preparation, assessment, or certification policies with the requirements of Proposition 227. To determine what curriculum and method(s) of instruction will prevail for English Learners in the aftermath of Proposition 227, the staff examined recent decisions by the State Board of Education and the State Superintendent of Public Instruction.

### **Policies and Regulations by the State Board of Education Related to Proposition 227**

On April 8, 1998, the State Board of Education adopted a revised state policy to govern the education of English Learners in California schools. This Board policy was adopted two months prior to Proposition 227, and was disseminated to local education agencies at that time. In its April 8 policy statement, the Board affirmed the federal requirements (above), including the three-part test established in the *Castañeda* decision. The Board urged "all school districts to ensure that educational programs and services for English Learners rapidly develop English language proficiency (literacy), including listening, speaking, reading and writing, and provide students with opportunities to learn, including access to a challenging core curriculum."

While the State Board's policy decision on April 8 emphasized the importance of "providing adequate resources and personnel to implement local plans and programs," it did not include specific provisions regarding the curriculum or methodology of these local plans and programs. The Board's policy reiterated the discretion of local education agencies to determine the curriculum and methodology of local programs for English Learners. Accordingly, the April 8 policy did not establish a prevailing curriculum or methodology that the Commission could use to re-align its standards or examinations for teacher preparation or assessment.

Immediately after the voters enacted Proposition 227 on June 2, 1998, the State Board of Education began to draft emergency regulations regarding its implementation. Administrative regulations have the functions of "clarifying, defining and making specific" the broad provisions of a statute such as Proposition 227. Given the prospect that the Board's regulations could specify a curriculum and instructional program for districts to implement the proposition, and given the Commission's need to re-align its teacher preparation policies with the state's curriculum and methodology for teaching English Learners, the Chair of the Commission wrote to the President of the State Board to indicate that "several curriculum and credential policy issues need to be resolved by our respective agencies." The Chair's letter also suggested that "working together to develop curriculum and credential policy will allow us to utilize the expertise of our respective agencies."

On July 9, the State Board adopted a set of emergency regulations for implementing Proposition 227. The Board amended the emergency regulations on July 31, and again on October 9, 1998, when the Board adopted the amended regulations as permanent (non-emergency) regulations. The Board's regulations, which are now in effect, include the following major provisions.

- (1) The regulations provide a definition for two phrases that are used in Proposition 227. "A good working knowledge of English" and "reasonable fluency in English" are defined to mean "a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education, or any locally developed assessments." According to the regulations, this definition will determine when "an English learner shall be transferred from a structured English immersion classroom to an English language mainstream classroom."
- (2) To clarify what options may be considered by a school district when an English learner "has not achieved a reasonable level of English proficiency," the regulations indicated that "an English learner may be re-enrolled in a structured English immersion program not normally intended to exceed one year . . . unless the parents or guardians of the pupil object to the extended placement."
- (3) In both structured English immersion and mainstream English language classrooms, "school districts shall continue to provide additional and appropriate educational services to English Learners in kindergarten through grade 12 for the purposes of overcoming language barriers until the English Learners have (a) demonstrated English-language proficiency comparable to that of the school district's average native English-language speakers; and (b) recouped any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers."

The new regulations of the State Board of Education also include extended provisions pertaining to parental requests to waive the requirements of Proposition 227. The regulations do not, however, include stipulations regarding curriculum content or instructional methods that are to be used by local school districts in the education of English Learners. Like the Board's policy decision of April 8, the regulations that were adopted in final form on October 9 do not provide a basis on which the Commission could re-align its standards or examinations for the preparation or assessment of teachers for English Learners. (For the full text of the adopted regulations of the State Board of Education, please see Attachment Two at the conclusion of this report.)

### **Administrative Actions by the State Superintendent Pertaining to Proposition 227**

Under the direction of the State Superintendent of Public Instruction, the California Department of Education is responsible to (a) assist local education agencies in implementing state and federal laws and regulations, and (b) monitor and enforce compliance with the laws and regulations that pertain to the education of English Learners throughout California. Given the prospect that the administrative actions of the Superintendent and the Department could articulate a curriculum and instructional program for districts to implement Proposition 227, and given the Commission's need to re-align its teacher preparation policies with the state's curriculum and instructional methods for teaching English Learners, the Executive Director of the Commission wrote to the State Superintendent of Public Instruction to indicate that "several curriculum and credential policy issues need to be resolved by our respective agencies." The Executive Director's letter also suggested that "working together to develop curriculum and credential policy will allow us to utilize the expertise of our respective agencies."

Following the enactment of Proposition 227 and the drafting of administrative regulations by the State Board of Education, the Department developed a program advisory document entitled *State Program for English Learners* (September, 1998). This program is based on federal requirements, Proposition 227 requirements, other California Education Code requirements, and the adopted regulations of the State Board of Education. The *State Program for English Learners* guidebook includes compliance requirements, criteria for state review, and suggestions on how local agencies can comply with state and federal requirements in the aftermath of Proposition 227. The Department provided opportunities for representatives of the Commission to review and respond to this program document while it was being drafted. The Department has disseminated the program document and is using the guidelines in its Coordinated Compliance Review (CCR) process throughout the state.

The Commission staff's investigation of the impact of Proposition 227 on the preparation, assessment and certification of teachers has included an analysis of the 22-page *State Program for English Learners* by the California Department of Education. The purpose of this analysis was to identify a curriculum or instructional methodology that may prevail now or in the future, and that could serve as a basis for the Commission to re-align its teacher preparation standards and competence examinations. The analysis showed that the *State Program for English Learners* (September 1998) adheres very closely to the language of Proposition 227 and the regulations of the State Board of Education. It asks many questions about curriculum and instructional methods that are utilized by local education agencies. It does not, however, specify a preferred curriculum or instructional method for

English Learners. Like the other state and federal documents that were examined in this investigation, the *State Program for English Learners* by the California Department of Education does not represent a basis for the Commission to review or revise the current standards or examinations for CLAD or BCLAD Credentials or Certificates.

Although the *State Program for English Learners* does not specify a prevailing curriculum or instructional method for LEP students, it includes specific rules pertaining to the qualifications of "teaching personnel" who instruct English Learners. The primary requirement of the program is "the district shall ensure that all teaching personnel shall be qualified to

provide the instructional services to English Learners." Under this broad requirement, the *State Program* provides more specific direction, as follows.

- (1) "An adequate number of qualified teachers have been assigned to implement the required English language development instruction for each English Learner. Upon documentation of a local shortage of qualified teachers to perform English language development instruction, the district has adopted and is implementing interim measures by which it plans to remedy the shortage." *Specifications: the program document indicates that each English learner should be "receiving English-language development instruction from a qualified teacher," which is defined as a teacher with an ELD authorization on the credential. The document further asks: how are teachers who do not currently possess the appropriate ELD authorization notified that their assignment is provisional in nature?*
- (2) "An adequate number of qualified teachers have been assigned to provide access to core curriculum instruction to ensure an equal education opportunity for each English Learner. Upon documentation of a local shortage of qualified teachers to provide such instruction, the district has adopted and is implementing measures by which it plans to remedy the shortage." *Specifications: the program guidebook indicates that "each teacher providing academic instruction (to English Learners) . . . holds a teaching authorization issued by CTC authorizing services for English Learners, or a provisionally assigned teacher is enrolled annually in training that will result in (a CTC) authorization for assuring access to the core curriculum . . ." The guidebook asks: "What is the process for notifying teachers in an interim position that they are to complete the necessary training for certification?"*
- (3) "The district provides an adequate in-service training program which results in qualifying existing and future personnel to provide instructional services to English Learners." *Specifications: the program handbook stipulates that "in-service training is provided for teachers assigned to English-language development instruction and/or SDAIE across the district's core curriculum to EL students and who do not possess the appropriate teaching authorization(s) from CTC. The district has made progress in qualifying existing and future personnel as teachers of EL Students as evidence by the number of teachers who, during the current school year, have obtained a CLAD, BCLAD or SB 1969 authorization from CTC."*

These requirements of the *State Program for English Learners* are applicable to the education of English Learners in (a) structured English immersion programs, (b) bilingual education/native language instruction programs, and (c) mainstream English language classrooms, regardless of the number of English Learners in each program or classroom.

#### **Part Four: Sources of Information to be Summarized in Subsequent Reports**

The Commission's staff has secured information from the following sources, which will be summarized in subsequent reports of this investigation. In each instance, the information is being reviewed for its implications for the preparation, assessment and certification of teachers for (a) structured English immersion, (b) bilingual education and native language instruction, and (c) mainstream English instruction among English Learners.

- (1) Reports of empirical research on the education of English Learners are being reviewed and summarized, particularly ones that suggest the most effective curriculum and instructional methods for the English language development (particularly the English literacy) and academic achievement of English Learners throughout the core curriculum. The staff is examining research reports that have been provided by the State Board of Education, as well as citations in the published literature that have been suggested by researchers at California colleges and universities.
- (2) Local curriculum documents that have been adopted by county boards of education and school district boards of education in California are being reviewed and compared with each other. Here the objective is to discern whether any curriculum patterns or instructional strategies are widely used or even prevalent in California public schools following the enactment of Proposition 227. Large numbers of counties and districts have provided copies of locally-developed and locally-adopted curriculum documents in behalf of the Commission's research.
- (3) Classroom teachers and local administrators of programs for English Learners in California schools, districts and counties have been contacted for first-hand information about effective teaching practices and curriculum content in the education of English Learners following the enactment of Proposition 227. Many professional educators have answered the staff's questions, and several others have offered to do so in the coming weeks so their testimony can be summarized for the Commission.
- (4) The State Superintendent of Public Instruction has appointed an Advisory Task Force on Proposition 227, which includes a Commission representative. The preparation of teachers for English Learners is among the four major topics of review by the Task Force, which has held two meetings. The Department of Education has indicated that a report of the Task Force's work will be completed by February, 1999. This report will be examined for its policy implications related to teacher preparation, assessment and certification.
- (5) State policy documents that have been developed and adopted by several other states are being examined and compared with each other. The staff is concentrating its analysis on those states where substantial numbers of English Learners are enrolled in K-12 schools. If there are consistencies among the requirements and standards used in other states, the staff will bring these findings to the Commission's attention in a subsequent report.

Finally, the Commission's staff has also sought the names of K-12 schools in California that offer effective programs of instruction for English Learners. These programs may be available for observation and analysis on behalf of the Commission. Finally, the staff has also contacted other potential sources of information including language instruction centers run by the federal government, English language institutes in the private sector, and language instruction laboratories operated by California colleges and universities. To date, these potential sources have yielded relatively little data, but the staff will continue to solicit information from them for the purpose of reaching an early conclusion to this investigation of potential bases for the Commission to re-align its teacher preparation, assessment and certification policies to match the requirements of Proposition 227.



[Back to the Top](#) |

[Back to November 1998 Agenda](#) |

[Back to Agenda Archives](#) |

[Return to About CTC](#) |

