
6B

Information

Credentialing and Certificated Assignments Committee

Proposed Title 5 Regulations to Implement Assembly Bill 2210

AGENDA INSERT

Executive Summary: Assembly Bill 2210 was chaptered on August 30, 2004. The bill requires the Commission to adopt regulations to clarify that an induction program is required for the multiple subject and single subject SB 2042 professional clear credentials. This agenda item proposes Title 5 regulations to clarify the requirement.

Recommended Action: None, Information Item

Presenter: Dale Janssen, Director,
Certification, Assignment and Waivers Division

Proposed Title 5 Regulations to Implement Assembly Bill 2210

Introduction

Governor Schwarzenegger signed Assembly Bill 2210 (Statutes of 2004, Chapter 343, Liu) on August 30, 2004. The bill requires the completion of a Commission-approved induction program prior to issuance of a SB 2042 professional clear multiple subject or single subject teaching credential. This agenda item proposes California Code of Regulations Title 5 language, as required by the bill, to establish induction as a requirement for the professional clear credential.

Below is the language of AB 2210. The bold section on page 4 references the Commission's requirement to develop regulations.

Also attached to this insert is a memorandum from Robert Polkinghorn, Assistant Vice President, University of California Office of the President, Veronica Villalobos, Vice President, Association of Independent California Colleges and Universities, and Beverly Young, Assistant Vice Chancellor, California State University Office of the Chancellor providing feedback on the proposed regulations.

AB 2210 LEGISLATIVE COUNSEL'S DIGEST

AB 2210, Liu. Marian Bergeson Beginning Teacher Support and Assessment System.

Existing law establishes the Marian Bergeson Beginning Teacher Support and Assessment System for, among other purposes, providing an effective transition into the teaching career for 1st-year and 2nd-year teachers, improving the educational performance of pupils through improved training, information, and assistance for new teachers, ensuring the professional success and retention of new teachers, and ensuring that an individual induction plan is in place for each participating beginning teacher and is based on an ongoing assessment of the beginning teacher.

Existing law requires possession of a valid preliminary teaching credential, possession of a valid equivalent credential or certificate, or completion of equivalent requirements for the professional clear multiple or single subject teaching credential. Existing law further requires completion of designated studies, completion of a 5th-year program after completion of a baccalaureate degree at an accredited institution, and subject to the availability of funding in the annual Budget Act, completion of a program of beginning teacher induction for those credentials.

This bill would require the Commission on Teacher Credentialing to determine that a candidate has fulfilled the induction program requirement if the candidate earned a preliminary teaching

credential by completing an accredited internship program of professional preparation and that internship program fulfills induction standards and is approved by the commission. The bill would require the commission to accept as fulfilling the induction program requirement completion of a 5th-year program after completion of a baccalaureate degree at an accredited institution if an approved induction program is verified as unavailable to a beginning teacher, or if a beginning teacher is required by federal law to complete subject matter coursework.

This bill would declare that it is to take effect immediately as an urgency statute.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 44259 of the Education Code is amended to read:

44259. (a) Except as provided in subparagraphs (A) and (C) of paragraph (3) of subdivision (b), each program of professional preparation for multiple or single subject teaching credentials shall not include more than one year of, or the equivalent of one-fifth of a five-year program in, professional preparation.

(b) The minimum requirements for the preliminary multiple or single subject teaching credential are all of the following:

(1) A baccalaureate degree or higher degree from a regionally accredited institution of postsecondary education. Except as provided in subdivision (c) of Section 44227, the baccalaureate degree shall not be in professional education. The commission shall encourage accredited institutions to offer undergraduate minors in education and special education to students who intend to become teachers.

(2) Passage of the state basic skills examination that is developed and administered by the commission pursuant to Section 44252.5.

(3) Satisfactory completion of a program of professional preparation that has been accredited by the committee on accreditation on the basis of standards of program quality and effectiveness that have been adopted by the commission. Subject to the availability of funds in the annual Budget Act for this purpose, and in accordance with the commission's assessment and performance standards, each program shall include a teaching performance assessment as set forth in Section 44320.2 which is aligned with the California Standards for the Teaching Profession. The commission shall ensure that each candidate recommended for a credential or certificate has demonstrated satisfactory ability to assist pupils to meet or exceed state content and performance standards for pupils adopted pursuant to subdivision (a) of Section 60605. Programs that meet this requirement for professional preparation shall include any of the following:

(A) Integrated programs of subject matter preparation and professional preparation pursuant to subdivision (a) of Section 44259.1.

(B) Postbaccalaureate programs of professional preparation, pursuant to subdivision (b) of Section 44259.1.

(C) Internship programs of professional preparation, pursuant to Section 44321, Article 7.5 (commencing with Section 44325), Article 11 (commencing with Section 44380), and Article 3 (commencing with Section 44450) of Chapter 3.

(4) Study of alternative methods of developing English language skills, including the study of reading as described in subparagraphs (A) and (B), among all pupils, including those for whom

English is a second language, in accordance with the commission's standards of program quality and effectiveness. The study of reading shall meet the following requirements:

(A) Commencing January 1, 1997, satisfactory completion of comprehensive reading instruction that is research-based and includes all of the following:

(i) The study of organized, systematic, explicit skills including phonemic awareness, direct, systematic, explicit phonics, and decoding skills.

(ii) A strong literature, language, and comprehension component with a balance of oral and written language.

(iii) Ongoing diagnostic techniques that inform teaching and assessment.

(iv) Early intervention techniques.

(v) Guided practice in a clinical setting.

(B) For the purposes of this section, "direct, systematic, explicit phonics" means phonemic awareness, spelling patterns, the direct instruction of sound/symbol codes and practice in connected text and the relationship of direct, systematic, explicit phonics to the components set forth in clauses (i) to (v), inclusive.

A program for the multiple subjects credential also shall include the study of integrated methods of teaching language arts.

(5) Completion of a subject matter program that has been approved by the commission on the basis of standards of program quality and effectiveness pursuant to Article 6 (commencing with Section 44310) or passage of a subject matter examination pursuant to Article 5 (commencing with Section 44280). The commission shall ensure that subject matter standards and examinations are aligned with the state content and performance standards for pupils adopted pursuant to subdivision (a) of Section 60605.

(6) Demonstration of a knowledge of the principles and provisions of the Constitution of the United States pursuant to Section 44335.

(7) Commencing January 1, 2000, demonstration, in accordance with the commission's standards of program quality and effectiveness, of basic competency in the use of computers in the classroom as determined by one of the following:

(A) Successful completion of a commission-approved program or course.

(B) Successful passage of an assessment that is developed, approved, and administered by the commission.

(c) The minimum requirements for the professional clear multiple or single subject teaching credential shall include all of the following requirements:

(1) Possession of a valid preliminary teaching credential, as prescribed in subdivision (b), possession of a valid equivalent credential or certificate, or completion of equivalent requirements as determined by the commission.

(2) Subject to the availability of funds in the annual Budget Act to provide statewide access to eligible beginning teachers, as defined in subdivision (d) of Section 44279.1 and except as provided in paragraph (3), completion of a program of beginning teacher induction, including one of the following:

(A) A program of beginning teacher support and assessment approved by the commission and the Superintendent of Public Instruction pursuant to Section 44279.1, a provision of the Marian Bergeson Beginning Teacher Support and Assessment System.

(B) An alternative program of beginning teacher induction that is provided by one or more local educational agencies and has been approved by the commission and the superintendent on the basis of initial review and periodic evaluations of the program in relation to appropriate standards of credential program quality and effectiveness that have been adopted by the

commission, the superintendent, and the State Board of Education pursuant to this subdivision. The standards for alternative programs shall encourage innovation and experimentation in the continuous preparation and induction of beginning teachers. Any alternative program of beginning teacher induction that has met state standards pursuant to this subdivision may apply for state funding pursuant to Sections 44279.1 and 44279.2.

(C) An alternative program of beginning teacher induction that is sponsored by a regionally accredited college or university, in cooperation with one or more local school districts, that addresses the individual professional needs of beginning teachers and meets the commission's standards of induction. The commission shall ensure that preparation and induction programs that qualify candidates for professional credentials extend and refine each beginning teacher's professional skills in relation to the California Standards for the Teaching Profession and the standards of pupil performance adopted pursuant to Section 60605.

(3) (A) If a candidate satisfies the requirements of subdivision (b), including completion of an accredited internship program of professional preparation, and if that internship program fulfills induction standards and is approved as set forth in this subdivision, the commission shall determine that the candidate has fulfilled the requirements of paragraph (2).

(B) If an approved induction program is verified as unavailable to a beginning teacher, or if the beginning teacher is required under the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) to complete subject matter coursework to be qualified for a teaching assignment, the commission shall accept completion of an approved fifth-year program after completion of a baccalaureate degree at a regionally accredited institution as fulfilling the requirements of paragraph (2). The commission shall adopt regulations to implement this subparagraph.

(4) Preparation, in accordance with commission standards, that addresses the following:

(A) Study of health education, including study of nutrition, cardiopulmonary resuscitation, and the physiological and sociological effects of abuse of alcohol, narcotics, and drugs and the use of tobacco. Training in cardiopulmonary resuscitation shall also meet the standards established by the American Heart Association or the American Red Cross.

(B) Study and field experience in methods of delivering appropriate educational services to pupils with exceptional needs in regular education programs.

(C) Study, in accordance with the commission's standards of program quality and effectiveness, of advanced computer-based technology, including the uses of technology in educational settings.

(d) The commission shall develop and implement standards of program quality and effectiveness that provide for the areas of study listed in subparagraphs (A) to (C), inclusive, of paragraph (4) of subdivision (c), starting in professional preparation and continuing through induction.

(e) A credential that was issued prior to January 1, 1993, shall remain in force as long as it is valid under the laws and regulations that were in effect on the date it was issued. The commission may not, by regulation, invalidate an otherwise valid credential unless it issues to the holder of the credential, in substitution, a new credential authorized by another provision in this chapter that is no more restrictive than the credential for which it was substituted with respect to the kind of service authorized and the grades, classes, or types of schools in which it authorizes service.

(f) A credential program that is approved by the commission may not deny an individual access to that program solely on the grounds that the individual obtained a teaching credential through completion of an internship program when that internship program has been accredited by the commission.

(g) Notwithstanding this section, persons who were performing teaching services as of January 1, 1999, pursuant to the language of this section that was in effect prior to that date, may continue to perform those services without complying with any requirements that may be added by the amendments adding this subdivision.

(h) Subparagraphs (A) and (B) of paragraph (4) of subdivision (b) do not apply to any person who, as of January 1, 1997, holds a multiple or single subject teaching credential, or to any person enrolled in a program of professional preparation for a multiple or single subject teaching credential as of January 1, 1997, who subsequently completes that program. It is the intent of the Legislature that the requirements of subparagraphs (A) and (B) of paragraph (4) of subdivision (b) be applied only to persons who enter a program of professional preparation on or after January 1, 1997.

(i) The commission shall grant teaching credentials based on the requirements for those credentials that were in effect on December 31, 1998, to candidates who were in the process of meeting those requirements for teaching credentials before the effective date of the commission's implementation of this section.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to expedite the credentialing process as it relates to the induction program requirements, it is necessary that this act take effect immediately.

Date: September 28, 2004

To: Sam Swofford, Executive Director
California Commission on Teacher Credentialing

From: Robert Polkinghorn, Assistant Vice President 
University of California Office of the President

Veronica Villalobos, Vice President 
Association of Independent California Colleges and Universities

Beverly Young, Assistant Vice Chancellor 
California State University Office of the Chancellor

Subject: Proposed Regulations to Implement AB 2210 (Liu, 2004)

We would like to thank you and your staff for your recent request for feedback on the draft Title 5 regulations to implement AB 2210 (Liu, 2004). We are quite pleased to see the priority placed on induction as the preferred route to a professional clear teaching credential, and applaud the Commission staff in moving so quickly to develop Title 5 regulations to implement this bill. We believe that the draft regulations are a good beginning, but there are a number of questions that remain unresolved that would benefit from stakeholder input, including the following:

1. AB 2210 allows teachers to complete a Commission-approved fifth year program if a Commission approved induction program is "unavailable". What defines this status? How will availability or non-availability be determined? Is availability dependent upon funds? Levels of funding? Full funding for induction services statewide? Availability of induction services at particular school sites? Inclusion of specific criteria in Title 5 regulations will ensure fair implementation statewide.
2. What process will sponsors of Commission-approved fifth year programs be expected to use for the verification and advising of candidates using this route to the professional clear credential? The staff agenda report that introduces the draft Title 5 regulations suggests that sponsors of Commission-approved fifth year programs will need to develop processes to ensure that induction is not available to candidates seeking to enroll in their programs, but the scope of this responsibility and the nature of Commission oversight and monitoring remains unclear, as is the role of the employer.
3. The timing and impact on continuing candidates remains unclear. Will there be a need to grandparent candidates in who apply for their credentials after August 30, 2004 and are already enrolled in fifth year programs for the Fall 2004 semester? Should the regulations speak to the transition from one system to a new system?

Should the effective date of these regulations coincide with their adoption by the Commission? Or is the effective date in the regulations related to the urgency clause that was contained in AB 2210?

4. What is the actual definition of a fifth year program? The definition of a fifth year program that is currently in use was adopted in Title 5 regulations by the Commission in 1979. Prior to SB 2042, the fifth year was (in most cases) synonymous with “professional preparation program”. Pursuant to AB 2210, the fifth year is now considered an alternative route to a professional credential. The term “fifth year of study” should be revisited and the Commission should consider replacing this term with something more descriptive and less tied to historical uses and definitions. Failing the retirement of this term, the Commission should look to stakeholders to help provide a clear, up-to-date definition in these Title 5 regulations.
5. How will teachers who hold preliminary teaching credentials but are not currently teaching obtain a professional clear credential? The proposed regulations make no provisions for unemployed preliminary credential holders. The regulations should list clearly categories of people for whom a fifth year program is an alternative. Qualified candidates could include those teaching in private schools, unemployed teachers, or teachers with too much prior experience to qualify for BTSA. How will a candidate who changes from single subject to multiple subjects or special education clear their credential?
6. How will the Commission ensure that fifth year programs are equivalent to the other route to a professional clear teaching credential? The standards for fifth year programs (released in September 2003) address advanced coursework in health, technology, teaching special needs students, and teaching English learners. These standards do not include the most significant elements of induction programs (e.g., guided reflection on teaching practice and formative assessment of teaching), which are known, through 15 years of experience with the Beginning Teacher Support and Assessment Program, to improve teaching and the retention of teachers. These effective strategies are included in the Commission adopted standards for induction programs, but missing from the standards for fifth year programs. If fifth year programs are to serve as a legitimate alternative to induction, the Commission should do everything it can to ensure that they will result in equivalent outcomes for teachers, and provide each new teacher with the knowledge and skills they need to succeed with California’s K-12 students.

In closing, we appreciate the Commission’s plan to engage in a full discussion of these issues with stakeholders prior to adopting Title 5 regulations to implement AB 2210.

Cc: Dale Janssen