
3A

Action

Public Hearing

Proposed Amendments to Title 5 Section 80413

Executive Summary: The proposed amendments to Section 80413 pertaining to Specific Requirements for Preliminary and Professional Clear Multiple and Single Subject Teaching Credentials for Applicants Prepared in California is being presented for public hearing.

Recommended Action: The Commission adopt the proposed amendments to Section 80413 of the Title 5 Regulations.

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

Strategic Plan Goal: 1

Promote educational excellence through the preparation and certification of professional educators

- ◆ Sustain high quality standards for the preparation of professional educators

Proposed Amendments to Title 5 Section 80413

Introduction

Governor Schwarzenegger signed Assembly Bill 2210 (Liu, Statutes of 2004, Chapter 343) on August 30, 2004. The bill establishes completion of a Commission-approved induction program as the required route for earning an SB 2042 professional clear multiple subject or single subject teaching credential. If an induction program is unavailable to the preliminary credential holder, the candidate will be allowed to complete a Commission-approved fifth year program. It also allows a candidate to complete a fifth year program if the candidate must complete subject matter course work to meet No Child Left Behind (NCLB) “highly qualified teacher” requirements.

Assembly Bill 2210 contained an urgency clause, which made the bill effective the day Governor Schwarzenegger signed the bill on August 30, 2004. The bill did not include a transition period; consequently the Commission does not have the authority to include a transition period in the regulations. The bill requires the Commission to adopt Title 5 regulations to clarify that, other than specified exceptions, the Commission-approved induction program is required for the SB 2042 professional clear credential.

The proposed regulations provide that an employing agency, defined as a public school district, county office of education, state operated school, nonpublic, nonsectarian school, charter school and private school, determines if a Commission-approved induction program is available to a SB 2042 preliminary credential holder.

The statute requires completion of induction to earn a professional clear credential. There are three ways that induction can be offered: by an employing school district, a consortium or a college or university. All three programs must meet the same standards and be approved by the Commission. An employing agency will verify if it does not offer induction either through that agency or a consortium. The Commission currently maintains a list of approved induction programs on its web site providing an employing agency with this information. A candidate who is employed where induction is not available will work with the employing agency to determine availability of induction. The proposed regulations include private schools as employing agencies, thus allowing them to determine if induction is available to the preliminary credential holder. Although not eligible for state funding, there is nothing in the induction standards that restricts private schools from seeking Commission approval for an induction program.

Following is the language that establishes completion of a Commission-approved induction program as the requirement for a professional clear credential, the bill reads:

(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.

This subsection raises the issue, who is a beginning teacher? The same section of the statute provides the beginning teacher definition. The statute reference 44259(c)(2) reads:

(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 ...

Education Code section 44279.1(d) reads:

(d) For the purpose of this article, unless the context otherwise requires, "beginning teacher," means a teacher with a valid California credential, as defined in Section 44259, or an intern participating in the program established pursuant to Article 11 (commencing with Section 44380) of Chapter 2.5, who is serving in the first year or second year of service.

Based on the definition found in 44279.1(d), a beginning teacher is one who is serving in the first or second year of service. Program Element 6(b) of the Induction Standards states who is eligible for induction:

6(b) The program informs all candidates of their eligibility for induction. Eligible candidates include those new to the profession who are teaching on preliminary credentials, those teaching on preliminary credentials who were prepared out of state and have less than five years experience, and those teaching on intern credentials.

The proposed Title 5 regulations also include the requirement that a beginning teacher must be eligible for a Commission-approved induction program before an employing agency can determine if induction is unavailable. By clearly defining a beginning teacher as one who is eligible to participate in induction, a credential holder will know when they can begin to complete the professional clear credential requirements, either through a college or university induction program, one offered by the employing agency or a fifth year program if eligible.

Proposed Amendments to Title 5 Regulations

§80413(a)(4) The Reading Instruction Competence Assessment (RICA) was added to the regulations based on Education Code Section 44283.

§80413(a)(5) The proposed change to this subsection reflects action the Commission took at its November 2003 meeting requiring preliminary multiple subject teaching credential applicants to pass the subject matter examination if they enrolled in a multiple subject teacher preparation program after July 1, 2004.

§80413(a)(7) This subsection was added to reflect the computers in the classroom requirement in Education Code Section 44259(b)(7).

§80413(b)(2) This subsection has been added as required by AB 2210 (Liu, Statutes of 2004, Chapter 343). The proposed language requires the employing agency to determine if a teacher may complete a fifth year program based on unavailability of a Commission-approved Induction Program or a teacher must take course work to become No Child Left Behind “highly qualified” in the teacher’s current assignment. The August 30, 2004 effective date is based on the date AB 2210 became effective.

§80413(b)(6) This subsection is being added to reflect the requirement as specified in Education Code Section 44259.5(e).

§80413(d)(1) The proposed language defines which employing agencies can determine whether preliminary credential applicants may participate in a Commission-approved fifth year program. These employing agencies were included in the regulations because these are employment options where a Commission-approved Induction Program may be offered.

Disclosures Regarding the Proposed Actions

The Commission has made the following initial determinations:

Mandated costs to local agencies or school districts: None

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

Cost or savings to any state agency: None

Cost or savings in federal funding to the state: None

Significant effect on housing costs: None

Significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

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

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

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 regulation(s) would not (1) create nor eliminate jobs within California, (2) create new business or eliminate existing businesses within California, and (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: The Commission has determined that the proposed amendment to the regulations does not effect small business. The regulations are not mandatory but an option that effects public school districts and county offices of education.

Notice of Proposed Rulemaking Mailing List and Responses

Mailing List

Commission Members on the Commission on Teacher Credentialing
California County Superintendents of Schools
Credential Analysts at the California County Superintendent Of Schools' Offices
Superintendents of 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 Select Professional Educational Associations

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

Tally of Responses

<u>In Support</u>	<u>In Opposition</u>
2 organizational opinions	0 organizational opinion
0 personal opinions	0 personal opinion

The Commission received 2 written responses in support of the proposed amendment of Section 80413 of the Title 5 Regulations.

Responses Representing Organizational Opinions in Support

- Panama-Buena Vista Union School District, Paul White, Director of Personnel Services
- Orange County Department of Education, Susana Fernandez, Special Services Manager

**Text of Proposed Amendments to Division VIII of Title 5 of the
California Code of Regulations**

§80413. Specific Requirements for Preliminary and Professional Clear Multiple and Single Subject Teaching Credentials for Applicants Prepared in California.

(a) The minimum requirements for the five-year preliminary multiple and single subject teaching credentials for California-prepared applicants shall include successful completion of all of the following:

(1) A baccalaureate degree or higher degree, except in professional education, from a regionally accredited institution of higher education.

(2) Passage of the California Basic Educational Skills Test (CBEST), as described in Education Code Section 44252, unless exempt by statutes or regulations.

~~(2)~~ (3) A Commission-approved multiple subject or single subject program of professional preparation in multiple or single subject, as appropriate to the credential sought as described in Education Code Section 44259(b)(3).

~~(3) Subject-matter knowledge either by examination as specified in Education Code Sections 44280 and 44281 and described in Section 80071 of Title 5 Regulations; or by completion of a subject-matter program as provided for in Education Code Section 44310 and described in Sections 80085, 80085.1, 80086, 80087, 80088, and 80094 of Title 5 Regulations.~~

(4) Completion of a study of alternative methods of developing English language skills, including the study of reading, as provided in Education Code Section 44259(b)(4). In addition multiple subject applicants shall pass the reading instruction competence assessment as provided in Education Code Section 44283. The following (A), for all applicants, and (B), for multiple subject applicants specified in Education Code Section 44283.

~~(A) A study of alternative methods of developing English language skills, including the study of reading, as specified in Education Code Section 44259(b)(4); and~~

~~(B) The reading instruction competence assessment specified in Education Code Section 44283 upon adoption of the implementing regulations.~~

(5) Subject-matter knowledge:

(A) For a multiple subject credential, an applicant enrolled in a teacher preparation program prior to July 1, 2004 shall meet this requirement either by passage of an examination as provided in Education Code Sections 44280, 44281, and 44282 or by completion of a subject-matter program as provided in Education Code Section 44310. An applicant enrolled in a teacher preparation program on or after July 1, 2004 shall meet this requirement by passage of an examination as provided in Education Code Sections 44280, 44281 and 44282.

(B) For a single subject credential, an applicant shall meet this requirement either by passage of an examination as provided in Education Code Sections 44280, 44281, and 44282 or by completion of a subject-matter program as provided in Education Code Section 44310.

- (6) Demonstration of knowledge of the The Constitution of the United States requirement, as specified provided in Education Code Section 44335, by one of the means described in Section 80415 of Title 5 Regulations.
- ~~(6) The California Basic Educational Skills Test (CBEST), as described in Education Code 44252, unless exempt by statutes or regulations.~~
- (7) Demonstration of basic competency in the use of computers in the classroom as provided in Education Code Section 44259(b)(7).
- (8) The recommendation from a regionally accredited institution of higher education that has a Commission-approved program in the preliminary credential sought, as specified provided in Education Code Section 44227.
- (b) The minimum requirements for the professional clear multiple or single subject teaching credentials must be completed within five years from the initial date of the issuance of the preliminary credential. The requirements include, ~~in addition to those cited above for the preliminary multiple or single subject teaching credential,~~ successful completion of all of the following:
- (1) Possession of a valid preliminary teaching credential ~~or certificate, or completion of equivalent requirements as determined by the Commission. A fifth year of study to be completed as specified in Education Code Section 44259(c)(4), by one of the means described in Section 80424 of Title 5 Regulations.~~
- (2) Effective August 30, 2004, completion of a Commission-approved program of beginning teacher induction as specified in Education Code Section 44259(c)(2). If a beginning teacher is eligible for induction but an employing agency verifies that induction is not available or the employing agency verifies that 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 course work to be qualified for a teaching assignment, the beginning teacher may complete a Commission-accredited fifth year program.
- (3) A health education unit requirement, as specified provided in Education Code Section 44259(c)(9) (4)(A), by one of the means described in Section 80421 of Title 5 Regulations.
- ~~(3) (4) Special education training, as specified provided in Education Code Section 44259(c)(2) (4)(B), as described in Section 80032.2 of Title 5 Regulations.~~
- ~~(4) (5) Study of advanced computer-based technology, including the uses of technology in educational settings, as specified provided in Education Code Section 44259(c)(3) (4)(C), as described in Section 80422 of Title 5 Regulations.~~
- (5) (6) Effective July 1, 2005 advanced study in the area of Teaching English Learners.
- (7) An application for a professional clear multiple subject or single subject credential shall only be submitted by either (A) or (B) below:
- (A) A Commission-approved induction program; or
- (B) The recommendation from a A regionally accredited institution of higher education with a Commission-accredited fifth year. that has a Commission-approved program in the professional clear credential sought, as specified in Education Code Section 44227.
- (c) All applicants for multiple subject and single subject professional clear credentials issued pursuant to Education Code Section 44259(c) with an issuance date on or after August 30, 2004 shall complete the requirements in subsection (b)(2) above.
- (d) Definitions:

- (1) The term “employing agency” as used in this section shall mean:
- (A) Public school districts in California.
 - (B) County offices of education or county superintendents of schools in California.
 - (C) Schools that operate under the direction of a California state agency.
 - (D) Nonpublic, nonsectarian schools and agencies as defined in Education Code Sections 56365 and 56366.
 - (E) Charter Schools as defined in Education Code Section 47600.
 - (F) Private schools.
- (2) A beginning teacher is one who is eligible to participate in a Commission-approved induction program.

NOTE

Authority cited: Section 44225, Education Code. Reference: Sections 44227, 44251, 44252, 44259, 44259.5, 44280, 44281, 44283, 44310 and 44335, Education Code.