
5A

Action

Credentialing and Certificated Assignments Committee

Proposed Amendments to 5 California Code of Regulations §80413 Pertaining to Specific Requirements for Preliminary and Clear Multiple and Single Subject Teaching Credentials for Applicants Prepared in California

Executive Summary: Staff is presenting proposed amendments to 5 California Code of Regulations §80413 pertaining to Specific Requirements for Preliminary and Clear Multiple and Single Subject Teaching Credentials for Applicants Prepared in California.

Recommended Action: Staff recommends that the Commission approve the amendments to 5 California Code of Regulations §80413 for the purpose of beginning the rulemaking file for submission to the Office of Administrative Law and scheduling a public hearing.

Presenter: Terri H. Fesperman, Consultant, Certification, Assignment and Waivers Division

Strategic Plan Goal: 1

Promote educational excellence through the preparation and certification of professional educators

- ◆ Grant credentials, certificates and permits as set out in regulation and statute.

March 2008

Proposed Amendments to 5 California Code of Regulations §80413 Pertaining to Specific Requirements for Preliminary and Clear Multiple and Single Subject Teaching Credentials for Applicants Prepared in California

Introduction

At the December and January/February Commission meetings, staff presented proposed amendments to 5 California Code of Regulations §80413 pertaining to Specific Requirements for Preliminary and Clear Multiple and Single Subject Teaching Credentials for Applicants Prepared in California. Staff is presenting these amendments for Commission approval.

Background

Governor Schwarzenegger signed Assembly Bill 2210 (Stats. 2004, Chap. 343) on August 30, 2004. In June 2005, section 80413, was approved by the Office of Administrative Law to implement the requirements stated in AB 2210. Section 80413(b)(2) states that effective August 30, 2004, completion of a Commission approved program of beginning teacher induction is required to earn a clear single subject and multiple subject teaching credential. 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 NCLB to complete subject matter course work to be qualified for a teaching assignment, he or she may complete a Commission-accredited fifth year of study program. Induction, as defined by the Commission's adopted *Standards of Quality and Effectiveness for Professional Teacher Induction Programs*, is a standards-based job-embedded process of applying and demonstrating theory and knowledge acquired in the preliminary preparation program with the support and assistance of a support provider leading to the clear credential recommendation.

An employing agency is defined in the regulations as including public school districts, county offices of education, schools that operate under the direction of a California state agency, nonpublic, nonsectarian schools and agencies, charter schools and private schools. These agencies will determine the method the beginning teacher will complete the requirements to earn the clear credential, by induction or a fifth year of study.

State funding is available to support induction for all individuals employed in the public schools in California in their first and second year of teaching on a preliminary multiple or single subject teaching credential. Individuals employed in private schools or other teaching positions, but not K-12 public schools, may participate in an approved induction program but are not supported by state funding. Preliminary multiple and single subject credential holders who are employed as day-to-day substitutes, individuals who move out of California prior to completing the clear credential requirements, and individuals who are employed by an entity that is not a school or who are not employed are not eligible for induction, consequently they are not eligible to

participate in the fifth year of study. As a result, for these individuals neither state funded induction or a fifth year of study can be completed to earn the clear credential. These individuals might be eligible to complete a university-based induction program, should one be available. Appendix A displays whether based on the type of employer, an individual is eligible for induction, eligible for state funding for induction, and if the employer is eligible to verify that induction is not available.

Currently, a preliminary credential is valid for five years. The expectation is that the vast majority of individuals who earn a preliminary multiple subject or single subject credential will be employed as a K-12 teacher within those five years and therefore able to complete the clear credential program through induction. (Clear credential program is completion of either a Commission-approved induction program or a Commission-accredited fifth year of study.) But it is now clear that a small percentage of individuals who hold preliminary multiple or single subject credentials are not able to participate in induction and are not employed by entities that can waive the induction requirement to allow the individual to complete a fifth year of study. Beginning in September 2009, there will be individuals who hold preliminary credentials that will soon expire and the individual will not have had the opportunity to earn the clear credential.

In discussion with stakeholders from the induction and university communities, there is broad agreement that individuals who earn the clear credential should have demonstrated the skills and abilities as defined by the clear credential program standards. Stakeholders have also expressed concern for the individuals who earned the preliminary credential but have not been able to find a teaching position in a public school and therefore have not the opportunity to complete induction.

Options for Extension of Time

The proposed regulations allow for three options:

- 1) A two-year extension for individuals employed in a position for which they may complete the clear credential program but need additional time to complete the requirements.
[subsection (d)]

If an individual has not been able to find employment as a teacher, then his or her preliminary credential would expire. Every individual has the right to request an extension of an expired credential. When the individual finds employment and therefore needs the credential, then he or she would request an extension of the preliminary credential providing information including verification of employment. This will allow the individual to be employed as a teacher and participate in an induction program to earn the clear credential. If the individual did not complete the renewal requirements for a reason such as illness, an additional one-year extension may be issued on a case by case situation.

- 2) A three-year extension for individuals who have not completed the requirements to earn a clear credential and are not in a position whereby they may complete the clear credential program. The individual needs to hold a multiple or single subject credential to serve in their current assignment. The individual would have additional time to seek a position that would allow for completion of the clear credential program. An individual may gain

employment in a position that allows for completion of the requirements within the three years and earn the clear credential. [subsection (e)]

The recommendation from stakeholders from the induction and university communities is that an individual should be allowed to request a one-time renewal of the preliminary credential for three years. Included in the application would be a statement from the individual explaining why induction was not completed in the five years of the preliminary credential and describing the plan to complete the clear credential program within the three-year time period of the extension. In addition, the individual will need to certify that he or she was not employed in a position for which the clear credential program was available.

An individual who has been issued the two-year extension in #1 is not eligible for the three-year extension in #2 as an individual must certify that he or she was not employed in a position for which the clear credential program was available to earn the three-year extension. If an individual does not complete the clear credential program during the two-year extension because he/she were negligent, the three-year extension would not be available. [subsection (e)(2)(B)(ii)]

- 3) An individual who received a three-year extension of their preliminary credential as noted in #2 may extend the credential for an additional two years as noted in #1 if he or she gains employment in a position that allows for completion of the requirements after the three-year extension. This would allow for the additional time necessary to earn the clear credential.

In addition to proposing an extension of time under the limited circumstances described above, staff is recommending updating the basic skills and professional growth requirements, adding additional agencies to the list of employing agencies, and adding a definition for clear credential program.

Proposed Amendments to Regulation

§80413(a)(2) The proposed change is to update the basic skills requirement in alignment with recent changes in statute.

§80413(a)(8) Clarification for other approved programs other than institutions of higher education to verify completion of the approved program is included in this subsection.

§80413(b) and (c) With the passage of SB 1209 (Chap. 517, Stats. 2006) and the deletion of Education Code sections 44270.1 and 44277, professional growth is no longer a requirement to earn a 'professional' clear credential and the Commission has returned to issuing clear credentials. In addition, grammatical errors are being corrected.

§80413(d) The conditions and requirements to extend a credential for a two-year period (induction is generally a two-year program) for individuals employed in a position for which they may complete the clear credential program but need additional time to complete the requirements are described in the subsection.

§80413(e) The conditions and requirements to extend a credential for a three-year period for individuals who have not completed a clear credential program for the clear credential are described in the subsection.

Adding a requirement that the individual must certify that he or she was not employed or not employed long enough in a position for which the clear credential program was available will keep an individual from obtaining the two-year extension in subsection (d) and then obtaining the three-year extension in subsection (d).

§80413(f)(1) The language defines which employing agencies can determine if preliminary credential holders may participate in a Commission-approved fifth year program. The expanded definition for ‘employing agency’ adds juvenile court schools and juvenile and adult correction because these are employment situations where a Commission-approved Induction Program may be offered.

§80413(f)(3) A definition for ‘clear credential program’ was added for clarification.

Next Steps

The regulations will appear next at a public hearing following the required 45-day response period.

CALIFORNIA CODE OF REGULATIONS TITLE 5. EDUCATION DIVISION 8. COMMISSION ON TEACHER CREDENTIALING

Proposed Amendments to 5 California Code of Regulations §80413 Pertaining Specific Requirements for Preliminary and ~~Professional~~ Clear Multiple and Single Subject Teaching Credentials for Applicants Prepared in California

§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).~~ Meet the basic skills requirement as described in Education Code Section 44252, unless exempt by statutes or regulations.
 - (3) A Commission-approved multiple subject or single subject program of professional preparation, as appropriate to the credential sought as described in Education Code Section 44259(b)(3).
 - (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.

(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 Constitution of the United States as provided in Education Code Section 44335.

(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~~ Verification of completion from a Commission-approved program accredited by the Committee on Accreditation in the preliminary credential sought, as provided in Education Code Sections ~~44227~~ 44373(c) and 44259(a)(3).

(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, successful completion of all of the following:

(1) Possession of a valid preliminary teaching credential.

(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 requirement, as provided in Education Code Section 44259(c)(4)(A).

(4) Special education training, as provided in Education Code Section 44259(c)(4)(B).

(5) Study of advanced computer-based technology, including the uses of technology in educational settings, as provided in Education Code Section 44259(c)(4)(C).

(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) A regionally accredited institution of higher education with a Commission accredited fifth year.

- (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) The Commission may extend the term of the credential for a two-year period if the following conditions apply:
- (1) An individual's five-year preliminary time period has expired or will expire within one calendar year and the individual obtains employment in an employing agency as defined in subsection (f) which would allow the individual to complete the requirements in subsection (b).
 - (2) The individual submits the following to the Commission:
 - (A) Application and appropriate fee.
 - (B) Verification of employment from an employing agency in a position that allows the individual to complete the clear credential program.
 - (C) Verification of enrollment in a Commission-approved clear credential program.
 - (3) The extension may be issued only once, except in cases where the individual provides proof that verifies sufficient progress toward completion of the requirements.
- (e) The Commission may extend one time the term of the credential for a three-year period if the following conditions apply:
- (1) An individual's five-year preliminary time period has expired or will expire within one calendar year and the individual has not been employed in a position which would allow completion of the requirements in subsection (b).
 - (2) The individual submits the following to the Commission:
 - (A) Application and appropriate fee.
 - (B) A signed statement by the individual which includes:
 - (i) Why the clear credential program was not completed in the five years while the preliminary credential was valid and a description of the plan to complete the requirements within the three year extension time period, and
 - (ii) Certification that he or she was not employed in a position for which the clear credential program was available or was employed for less than one school year and was not able to complete the clear credential program.
- (f) 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 established in Education Code Section 47600.
 - (F) Private schools.
 - (G) Juvenile court school.
 - (H) Juvenile or adult corrections.
 - (2) A beginning teacher is one who is eligible to participate in a Commission-approved induction program.

(3) The “clear credential program” as used in this section shall mean either completion of a Commission-approved induction program or Commission-accredited fifth year of study.

NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44227, 44251, 44252, 44259, 44259.5, 44280, 44281, 44283, 44310, ~~and~~ 44335, and 44373, Education Code.

Appendix A

SB 2042 Routes to the Clear Credential

Type of Employer	Teacher is eligible for State Funded Induction Only in first 2 years of teaching on the Preliminary Credential	Participate in Induction at his/her own cost	5 th Year of Study Employer* is eligible to verify that Induction is not available
School district or county office of education ¹	Yes	Yes	Yes
Charter School	Yes	Yes	Yes
Private School religious or nonsectarian	No	Yes	Yes
Non-public non-sectarian (NPS) ²	Yes	Yes	Yes
Juvenile court schools	Yes	Yes	Yes
Adult Correctional System	No	Yes	Yes
Juvenile Corrections	No	Yes	Yes
School under a state agency jurisdiction ³	No	Yes	Yes
Teaching outside California (out-of-state or outside the US)	No	No	No
Long term substitute	Maybe	Yes, if an approved Induction program will accept the candidate and a plan is developed to provide the range of induction experiences and opportunities to demonstrate knowledge and skills required by the program.	No
Day to Day Substitute	No		No
Working for the state of California (CDE or CTC)	No		No
Working in Pre-school ⁴	No		Yes
Working in Higher Education (community college or 4-year institution)	No		No
Teaching/tutoring for an agency, i.e. studio, hospital, circus	No		Yes
Teaching/tutoring for a for profit company	No		No
Before/After school program	No		No
Home School teacher not affiliated with a public/private school	No		No
Education affiliated setting, i.e. museum/zoo/science center	No		No
Summer camp, YMCA	No		No
Employed in a non-education setting	No		No
Unemployed individuals	No		No

*A California public school or any school that is sponsored by a private K-12 school, non-public, non-sectarian school or agency, charter school, or a school operated under the direction of a California state agency. If the employer verified that Induction is not available, the teacher may complete an approved Fifth Year of Study program.

¹ Vocational and Adult Education teachers are eligible to participate in BTSA with state funding, but currently do not earn their credential through completion of Induction.

² A school where public school students are placed to meet the requirements of the student's I.E.P. Teachers with an Education Specialist Level I credential are eligible to participate in BTSA with state support. The teacher is not earning the Clear MS or SS through the BTSA program but using BTSA to support the Level II Education Specialist work.

³ A school operating under the direction of a California State Agency (Health and Human Services, Department of Corrections or others), i.e. adult prisons.

⁴ If the preschool is run by the school district AND the teachers are on the regular teacher salary schedule, then 'Yes' to state funded induction. Otherwise the individual is not eligible for state funded induction.