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Information

Credentialing and Certificated Assignments Committee

Special Education Authorizations and Assignments in California

Executive Summary: This agenda item provides information on the special education credential and authorization structure in California related to the assignments of these educators and the delivery of instruction and services. Additionally, key findings and considerations for state policymakers from recent National and State level reports are presented that address the alignment in preparation for general education and special education teacher certification along with federal requirements.

Policy Questions: Is there a need to further examine the Education Specialist Credential preparation program, requirements, and authorization structure to meet the needs of the student populations served in the various service delivery models in California?

Recommended Action: For information only

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Strategic Plan Goal

I. Educator Quality

- ◆ Ensure that credential processing and assignment monitoring activities accurately, effectively, and efficiently identify educators who have met high and rigorous certification standards and who are appropriately assigned.

January-February 2013

Special Education Authorizations and Assignments in California

Introduction

This agenda item provides an overview of California's current special education credential and authorization structure as they relate to the assignments of these educators and the delivery of instruction and services. Information relative to Federal laws and regulations that pertain to special education is included to provide context along with relevant data for special education students and teachers in California. The current special education credential preparation and structure will be examined on multiple levels including:

- Grade and Age Levels Authorized
- Broad Specialty Area Authorizations for Cross-Categorical Instruction
- Severity Level Designations for Specific Specialty Areas
- Subject Matter Requirements for Academic Content Instruction

Additionally, key findings and considerations for state policymakers from recent National and State level reports are presented that specifically address the alignment in preparation for general education and special education teacher certification in conjunction with federal requirements.

Background

This agenda item is part of a series that builds on the information presented initially as introductory broad content in the June 2012 Agenda Item 5B, *Authorizations and Certificated Assignments in California* (<http://www.ctc.ca.gov/commission/agendas/2012-06/2012-06-5B.pdf>). This agenda item was followed by a recorded Commission webcast in November 2012, *Foundations of Special Education Certification in California* (http://video.ctc.ca.gov/2012-11-20-Special_Education_Webcast)ⁱ that provided information to the public and stakeholders on the history of special education certification in the state of California as well as the current preparation and authorization structure for the Education Specialist Credentials. Additional information related to the implementation of various intervention models and multi-tiered support systems in California was then presented during the recent December 2012 meeting in agenda item 5A, *Implementation of Response to Instruction and Intervention (RtI²) and Multi-Tiered Systems of Support (MTSS) in California* (<http://www.ctc.ca.gov/commission/agendas/2012-12/2012-12-5A.pdf>). A brief summary from the agenda item in December is provided for reference below.

RtI² and MTSS Implementation in California

Response to Instruction (RtI) is a data-based decision making process that serves as the foundational frame for a multi-tiered system of support (MTSS) for students who are struggling academically or with behavior. MTSS describes the types of tiered instruction and intervention provided to students in the various tiers within the RtI framework. RtI is supported at the national level by the U.S. Department of Education (<http://www.rti4success.org/>) and other

agencies (e.g., RTI Action Network, <http://www.rtinetwork.org/about-us/position-statement>). Students' progress is closely monitored at each stage of intervention to determine the need for further research-based instruction and/or intervention in general education, in special education, or both.ⁱⁱ It is important to note that implementation of RtI varies in each state and, for California, within each district.

In California, Response to Intervention has been defined by the California Department of Education (CDE) as Response to Instruction and Intervention (RtI²) to emphasize the full spectrum of instruction, from general or core to intensive, to meet the academic and behavioral needs of students. RtI² is a systematic, data-driven approach to instruction. RtI² integrates resources from general education, categorical programs, and special education through a comprehensive system of core instruction and tiered levels of interventions to benefit every student.ⁱⁱⁱ

Information on the philosophy, definition and core components of RtI² for guidance to California schools comes from the CDE's web page (<http://www.cde.ca.gov/ci/cr/ri/>). This information is provided by CDE for districts and local education agencies (LEAs) as guidance and for technical assistance not as part of a mandated or regulated state "program."

LEAs have local level control over whether or not to implement these instructional approach models as well as in determining the local level design and implementation. If a school district has teachers who received their special education teaching credential prior to 1998, the teacher most likely also holds a general education teaching credential. An individual holding both the general education and special education teaching credential would be an appropriate individual to provide instruction in Tier II settings that include both general education and special education students in the class as long as one of the credentials authorizes the content, setting and grade level of the class.

For individuals who hold special education teaching credentials earned following the changes in structure in 1998, the credential may be the individual's only teaching credential. If the teacher in the Tier II setting holds an Education Specialist Teaching Credential but does not hold an additional general education teaching credential, he or she is not authorized to teach general education students in the Tier II setting on the basis of the special education credential.

Special Education Student Populations

Students served within special education have been identified as individuals with exceptional needs that meet specific eligibility criteria demonstrating that the degree of their impairment requires special education in one or more program options. The eligibility criteria for a child to be identified with exceptional needs is outlined in the California Code of Regulations, Title 5 §3030 with the basis for the definition of an "individual with exceptional needs" provided in Education Code §56026:

"Individuals with exceptional needs" means those persons who satisfy all the following:

- (a) Identified by an individualized education program team as a child with a disability, as that phrase is defined in Section 1401(3)(A) of Title 20 of the United States Code.*

- (b) *Their impairment, as described by subdivision (a), requires instruction and services which cannot be provided with modification of the regular school program in order to ensure that the individual is provided a free appropriate public education pursuant to Section 1401(9) of Title 20 of the United States Code.*
- (c) *Come within one of the following age categories:*
- (1) *Younger than three years of age and identified by the local educational agency as requiring intensive special education and services, as defined by the board.*
 - (2) *Between the ages of three to five years, inclusive, and identified by the local educational agency pursuant to Section 56441.11.*
 - (3) *Between the ages of five and 18 years, inclusive.*
 - (4) *Between the ages of 19 and 21 years, inclusive; enrolled in or eligible for a program under this part or other special education program prior to his or her 19th birthday; and has not yet completed his or her prescribed course of study or who has not met proficiency standards or has not graduated from high school with a regular high school diploma.*

Students served within special education are identified based on one or more of the thirteen federal disability categories. The federal government created definitions for each of these disability categories in Title 34 of the Federal Code of Regulations in order to provide guidance to schools in determining if students are eligible for special education services (*Appendix A*). Special education students have been identified as needing specific services based on an Individualized Education Program (IEP), Individualized Family Service Plan (IFSP), and/or Individualized Transition Plan (ITP). The IEP is a written statement for each child with a disability that is developed, reviewed, and revised in a meeting by a team of teachers, parents, school administrators, related services personnel, and students (when age appropriate). The IEP describes the educational program that has been designed to meet that child's unique needs. Each child who receives special education and related services must have an IEP.

Statewide data from the CDE on special education student enrollment for 2011-2012 is provided in *Table A* below with a full break down by primary disability area and grade level available in *Appendix B*. Federal guidance allows the state to determine the maximum age for the continuation of special education services. California allows for special education services up to the age of 22 for students who have not obtained a high school diploma. Special education services were provided to 686,352 students in California, newborn through twenty-two years of age, in 2011-12 with Specific Learning Disabilities, Speech or Language Impaired, and Autism Spectrum Disorders representing the three largest disability categories of identified students. According to the 2011-12 statewide enrollment data over 6 million students are enrolled in California public schools with students identified for special education services representing approximately 11% of the total.

Table A: California Special Education Student Enrollment by Disability Area, 2011-2012

Primary Disability	Student Population	Percent of Total Population
Specific Learning Disability (SLD)	278,697	40.6%
Speech or Language Impairment (SLI)	164,600	24.0%
Autism Spectrum Disorders (ASD)	71,825	10.5%
Other Health Impairment (OHI)	61,309	8.9%
Intellectual Disabilities (ID)	43,303	6.3%
Emotional Disturbance (ED)	25,984	3.8%
Orthopedic Impairment (OI)	14,261	2.1%
Hard-of-Hearing (HH)	9,991	1.5%
Multiple Disabilities (MD)	5,643	0.8%
Visual Impairment (VI)	4,327	0.6%
Deafness (DEAF)	3,946	0.6%
Traumatic Brain Injury (TBI)	1,771	0.3%
Deaf-Blindness (DB)	160	0.0%
Totals	686,352	100%

Service Delivery, Placements, and Settings

Since 1975 there have been substantial changes in Federal law through the reauthorization process related to individuals with disabilities. These changes have resulted in a dramatic shift in how special education instruction and services are delivered. A definition for special education is included in Education Code §56031(a):

- (a) *"Special education," in accordance with Section 1401(29) of Title 20 of the United States Code, means specially designed instruction, at no cost to the parent, to meet the unique needs of individuals with exceptional needs, including instruction conducted in the classroom, in the home, in hospitals and institutions, and other settings, and instruction in physical education.*

Least Restrictive Environment (LRE) Definition

As part of the Individuals with Disabilities Education Act (IDEA), the LRE is identified as one of the principles that govern the education of students with disabilities and other special needs (IDEA's LRE provisions are found in 34 Code of Federal Regulations (CFR) §§300.114 (a)(2)).

Each public agency must ensure that:

- (i) *To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and*
- (ii) *Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (§300.114(a)(2)(i)(ii)).*

By law, schools are required to provide a free appropriate public education (FAPE) in the LRE that is appropriate to the individual student's needs. LRE means that a student who has a

disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate. The student should be provided with supplementary aids and services necessary to achieve educational goals if placed in a setting with non-disabled peers.

Specified Education Placement

The educational placement of a child with exceptional needs is determined and documented by the IEP team in accordance with LRE provisions. The definition for a specified education placement is provided in Title 5 §3001(ae):

“Specified education placement” means that unique combinations of facilities, personnel, location or equipment necessary to provide instructional services to an individual with exceptional needs, as specified in the IEP, in any one of a combination of public, private, home and hospital, or residential settings. The IEP team shall document its rationale for placement in other than the pupil’s school and classroom in which the pupil would otherwise attend if the pupil were not disabled. The documentation shall indicate why the pupil’s disability prevents his or her needs from being met in a less restrictive environment even with the use of supplementary aids and services.

Inclusion or Inclusive Education

Commission staff contacted CDE’s Special Education Division for assistance in identifying a common definition for Inclusion or Inclusive Education as these terms are frequently referenced in relation to LRE by Local Education Agencies when describing their full continuum of program options and the delivery of special education instruction and services.

There are no legal definitions for Inclusion or Inclusive Education as neither federal nor state law uses these terms. However, IDEA and the federal regulations for LRE indicate a clear preference for educating students with disabilities in general education classrooms with their typical peers. Various education organizations and advocacy groups have redefined LRE by developing their own definitions of Inclusion in an attempt to provide more clarity on its principles.

Alternate Definitions of Inclusion

The National Association of State Boards of Education (NASBE) definition of inclusion was developed by a cross state group of state board members.

Inclusion is not just a place or a method of delivering instruction. It is a philosophy that undergirds the entire system. Inclusion is part of the culture of the program, defining how children, teachers, administrators, parents, and others view the potential of children. (NASBE, 1992)^{iv}

In addition, NASBE also published a Public Education Position Statement (ratified 2008) that outlines a definition of inclusion:

NASBE believes that education should address the individual needs of each student. Each state board should assume an active leadership role to identify educational needs, priorities and plans of implementation for the state, based on these program principles:

State boards should ensure that policies are developed and implemented which guarantee that all students are educated in school environments that include

rather than exclude them. Inclusion means that all children must be educated in supported, heterogeneous, age-appropriate, natural, child-focused school environments for the purpose of preparing them for full participation in our diverse and integrated society.^v

National Institute for Urban School Improvement (NIUSI) was funded by Office of Special Education Programs (OSEP) to develop networks of urban districts and schools that embrace and implement a data-based, continuous improvement approach for inclusive practices. Their work is now housed at The Equity Alliance at Arizona State University where they provide technical assistance and resources for increasing access, participation, and equity in schools. The NIUI definition of inclusion is as follows:

Inclusion is an effort to make sure students with disabilities go to school along with their friends and neighbors while also receiving whatever, “specially designed instruction and support” they need to achieve high standards and succeed as learners.

Inclusion is not the same as mainstreaming or integration. Mainstreaming attempts to move students from special education classrooms to regular education classrooms only in situations where they are able to keep up with their typically developing peers without specially designed instruction or support. Integration provides only “part-time” inclusion, which prevents the students from becoming full members of the classroom community.^{vi}

Full Continuum of Program Options

One of the primary tenets of IDEA is that every special needs student has the right to be educated in the Least Restrictive Environment. While schools have been moving toward more inclusive practices, it is important to remember that special education is a service and not a place. Special education students receive specialized academic instruction and supportive services across a full continuum of program options. For special education teachers in California, service across the continuum of program options is described in Title 5 §80048.6 (a)(1) below:

“Service across the continuum of program options available”: Pursuant to Education Code Sections 56031, 56360, and 56361, the continuum includes resource rooms or services; special education settings; general education settings; special schools; home/hospital settings; state hospitals; development centers; correctional facilities; non-public, non-sectarian schools and agencies as defined in Education Code Sections 56365 and 56366; and alternative and non-traditional instructional public school settings other than classrooms.

There are a variety of special education settings available in California public schools. As California continues to implement the provisions of IDEA and LRE, more special education instruction and services have moved away from traditional self-contained and departmentalized special education classrooms (formerly known as special day classes or SDC classrooms) to the provision of instruction and supportive services within the general education classroom and other less restrictive environments. However, a full range of settings and service delivery models are still in use throughout California. In *Appendix C*, California Basic Educational Data System (CBEDS) special education course assignment definitions are provided that reflect current instructional practices along with a summary of additional examples below.

Special Education Supportive Services – Consultation/Instructional Support

Special education supportive services are also provided to students in accordance with their IEP, IFSP and/or ITP. Students may not receive initial direct instruction from the special education teacher but instead are provided with instructional support. Also referenced as collaboration, consultative content teaching, or cooperative teaching, this service delivery model provides re-teaching and supportive strategies during regular classroom instructional time for the subject. Special Education teachers may also provide consultative support for the general education teacher or another special education teacher who is providing direct instruction in the core elementary or secondary curriculum.

Learning Center Model

Also referred to as co-teaching or team teaching, a learning center service delivery model often provides special education students and general education students a shared classroom for more intensive interventions, instruction, and supportive services. Instructional responsibility is shared between a special education and general education teacher in order to meet the instructional needs of all students. In many learning center models, the emphasis is on flexibility so that the students still spend part of their day in the general education classroom.

Special Education Teachers

The Preliminary and Clear Education Specialist Credentials are the current special education credentials issued by the Commission. The Education Specialist Credential along with the associated specialty areas were initially established in 1997 but underwent additional revisions that became effective in 2010. All current and prior special education credentials, certificates, endorsements, specialty areas, and added authorizations allow an educator to provide instructional services to students identified in specific Federal Disability Categories. Additional history on special education credentials in California is provided in *Appendix E*.

Authorizations are the statements that define the instruction and/or services an educator is able to provide. The authorization also includes the ages and/or grades authorized along with the full continuum of program options where instruction and supportive services may be offered. Authorizations are included in Title 5 regulations and are used by the Commission and employing agencies to determine appropriate assignment. Authorization statements are prepared for all specialty areas that may be listed on an Education Specialist Credential. The first page of the Commission's *Special Education Credential Authorization Chart* is provided in *Appendix D* that identifies the federal disability categories that fall within each of these broad specialty areas. Any skill or knowledge expected in the authorization must be matched within the standards for the preparation program.

Broad Specialty Area Authorizations for Cross-Categorical Instruction

The current Education Specialist Credentials are issued in seven broad specialty areas that encompass several different disability areas depending on the content embedded in the standards for their preparation program. The broad specialty areas that may be listed on an Education Specialist Credential are identified as Mild/Moderate (M/M), Moderate/Severe (M/S), Language and Academic Development (LAD), Deaf and Hard-of-Hearing (DHH), Physical and Health Impairments (PHI), Visual Impairments (VI), Early Childhood Special Education (ECSE).

Provided in *Table B* below are the federal disability categories for which each of the seven specialty areas of the Education Specialist Credential authorize teaching.

Table B: Education Specialists Grade/Age Level Authorizations

Specialty Area	Federal Disability Categories
Mild/Moderate (M/M)	Specific Learning Disability, Emotional Disturbance, Autism, Other Health Impairment
Moderate/Severe (M/S)	Mental Retardation, Emotional Disturbance, Multiple Disabilities, Autism, Deaf-Blind
Deaf and Hard-of-Hearing (DHH)	Autism, Deafness or Hearing Impairment, Deaf-Blind
Physical and Health Impairment (PHI)	Multiple Disabilities , Autism, Orthopedic Impairment , Other Health Impairment , Traumatic Brain Injury
Visual Impairment (VI)	Autism, Deaf-Blindness, Visual Impairment
Early Childhood Special Education (ECSE)	Specific Learning Disability, Mental Retardation, Emotional Disturbance, Multiple Disabilities, Autism, Other Health Impairment, Traumatic Brain Injury
Language and Academic Development (LAD)	Specific Learning Disability*, Mental Retardation*, Emotional Disturbance*, Multiple Disabilities*, Autism*, Speech of Language Impairment*, Orthopedic Impairment*, Other Health Impairment*, Traumatic Brain Injury*

* The Language and Academic Development Education Specialist Credential authorizes services for ages preschool to age 22 across disability areas **limited to** students identified with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas.

The Mild/Moderate (M/M) and Moderate/Severe (M/S) are the most frequently issued specialty areas and also provide the broadest authorizations that encompass the majority of the federal disability categories. These two specialty areas do have some overlap in their preparation content which is reflected in the disability categories authorized. The Commission often receives questions from local education agencies (LEAs) and educators that identify the common misconception that the Moderate/Severe specialty area provides a “higher level” of authorization that is ranked above the Mild/Moderate specialty area.

This misconception leads to further confusion as it creates the false assumption that the Moderate/Severe specialty area is also authorized to serve all of the disability categories that fall within the Mild/Moderate specialty area. While the Moderate/Severe specialty area covers more disability areas than the Mild/Moderate, it is not considered a “higher level” than the Mild/Moderate but rather a distinct program within the overall structure of the Education Specialist Credentials. Both specialty areas have specific authorizations that reflect the content covered within the scope of their program preparation standards. For example, an individual holding the currently issued Education Specialist Credential with the specialty area of Moderate/Severe is not authorized to serve students within the federal disability categories of Specific Learning Disability (SLD) or Other Health Impairment (OHI) based on the content addressed within the standards for their preparation program.

Grade and Age Levels Authorized

The current Education Specialist Credential specialty areas span most grades and age levels with a few distinctions as outlined in *Table C below*. The individuals holding credentials with Mild/Moderate and Moderate/Severe specialty areas are authorized to serve students in grade levels Kindergarten to grade 12 through age 22. In contrast, the low incidence specialty areas of DHH, PHI, and VI are authorized to serve students from birth through age 22. The Early Childhood Special Education (ECSE) specialty area was designed to serve the birth through pre-K population of students with exceptional needs in the disability categories authorized by both the Mild/Moderate and Moderate/Severe specialty areas and Traumatic Brain Injury. The recently added specialty area of Language and Academic Development (LAD) authorizes teaching students identified with special needs in an instructional setting who demonstrate a lack of communication and language or literacy skills required to access meaningful benefit from academic instruction from Pre-K to grade 12 through age 22.

Table C: Education Specialists Grade/Age Level Authorizations

Specialty Area	Grade/Age Level Authorization
Mild/Moderate (M/M)	K-12 to age 22
Moderate/Severe (M/S)	K-12 to age 22
Deaf and Hard-of-Hearing (DHH)	Birth to age 22
Physical and Health Impairment (PHI)	Birth to age 22
Visual Impairment (VI)	Birth to age 22
Early Childhood Special Education (ECSE)	Birth to Pre-K
Language and Academic Development (LAD)	Pre-K - 12 to age 22

Severity Level Designations for Specific Specialty Areas

In California, two broad specialty areas are currently issued with severity level designations – Mild/Moderate (M/M) and Moderate/Severe (M/S). Within these broad specialty area authorizations, the severity level designation is specifically noted for the disability category of Intellectual Disabilities (formerly Mental Retardation). In 2010, President Obama signed “Rosa’s Law” creating federal legislation to replace the term “mental retardation” (MR) with “intellectual disability” (ID). The federal government still has to complete implementation related to this legislation including changing the name in Title 34 of the Code of Federal Regulations (*Appendix A*). This change in terminology did not result in any changes to the definition or required services for this disability category. California sponsored similar legislation to align with the new federal term for this disability category that became effective in 2012 with the passage and signing of Senate Bill 1381. Both the federal and state laws provide that agencies should replace the term within their regulations, publications, and websites whenever another reason for revision of these items is necessary in order to eliminate any additional cost associated with this change.

The distinction between the levels of severity for this particular disability area is evident in the preparation program standards and reflected within authorization for both the M/M and M/S specialty areas. It is important to note that the designation noted for the severity level of this particular disability area is not recent but rather has been in place in the preparation standards and authorizations on special education credentials since Standard Teaching credentials were

issued in 1961 when levels were specified as “Educable Mentally Retarded” and “Trainable Mentally Retarded.”

According to the Federal definition in Title 34, Intellectual Disability (ID) or Mental Retardation (MR) means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance (*Appendix A*).

Additionally, the Education Code defines “severely disabled” and identifies within that definition students who require intensive instruction and training for profound disabilities to include severe mental retardation providing a specific and distinct designation level of severe for this disability category.

56030.5. “Severely disabled” means individuals with exceptional needs who require intensive instruction and training in programs serving pupils with the following profound disabilities: autism, blindness, deafness, severe orthopedic impairments, serious emotional disturbances, severe mental retardation, and those individuals who would have been eligible for enrollment in a development center for handicapped pupils under Chapter 6 (commencing with Section 56800) of this part, as it read on January 1, 1980.

The Commission does not further define *severe* intellectual disabilities or associate that level of designation with a specific IQ level. The Mild/Moderate specialty area authorizes instructional services for students identified in their IEP as needing instruction and services for mild to moderate intellectual disabilities and the Moderate/Severe specialty area authorizes instructional services for students identified in their IEP as needing instruction and services for moderate to severe or profound intellectual disabilities. There is some overlap in the authorizations for these two specialty areas within the moderate range for this disability category.

The level of severity identified for this particular disability category is determined by the IEP team based on individual student assessments and goals and reflected in the intensity, frequency, duration and level of services identified for the student. In some cases, a self-contained special education class will be identified by the local education agency as specifically designated for students with severe or profound disabilities. Students identified with ID/MR placed in the class should also have been identified as needing special education instruction for severe or profound ID/MR which would require instructional services from a special education teacher with the Moderate/Severe specialty area (or one of the equivalent prior authorizations such as Severely Handicapped).

Preparation to Earn an Education Specialist Credential

Preparation Aligned with Multiple and Single Subject Teacher Preparation Requirements

As provided in the special education history in *Appendix E*, when the Commission adopted the Education Specialist Credential structure in 1996, the Education Specialist Credential became an initial basic credential rather than an “advanced specialist” level of certification. Special education teachers were no longer required to earn a Multiple or Single Subject Teaching Credential prior to earning the Education Specialist Credential. Both the Commission and the

Special Education Advisory Panel at that time recognized the widespread shortages of teachers in special education. The elimination of the prerequisite teaching credential requirement was expected to help alleviate the shortage.

The prospective Education Specialist teacher must satisfy many of the same requirements as a general education teacher: Basic Skills, US Constitution, a bachelor's degree, background check, Subject Matter, complete a Commission-approved preparation program including clinical practice or field experience and CPR. The preparation program must address the adopted program standards (<http://www.ctc.ca.gov/educator-prep/standards/Special-Education-Standards.pdf>) prior to approval. Many of the required program components are closely aligned with the preparation requirements for the Multiple and Single Subject Programs as is illustrated by the Standards that appear in both sets of Preliminary Program Standards: Professional, Legal and Ethical Practices, Educating Diverse Learners, Preparation to Teach Reading/Language Arts, Preparation to Teach English Learners, Creating Healthy Learning Environments, and Field Experience. In addition, holders of a Preliminary Education Specialist Credential may only earn a Clear credential based on completion of a Commission-approved Clear Induction Program.

Teaching Reading

Individuals preparing to be Education Specialist teachers must complete a reading course as part of the teacher preparation program and must pass the Reading Instruction Competency Assessment (RICA) aligned with the preparation requirement for a Multiple Subject Teaching Credential. The exception to the examination requirement is for Early Childhood Special Education teachers.

Subject Matter Requirements – Instruction Authorized for all Content Areas

The reauthorization of IDEA in 2004 aligned special education teacher qualification requirements with the federal No Child Left Behind (NCLB) highly qualified teacher (HQT) requirements. As a result, every special education teacher identified as the primary instructor for a core academic subject must meet HQT requirements for each core content area taught. CDE is the state education agency that determines subject matter compliance requirements related to NCLB; therefore verifying NCLB subject matter competency is not always the same as subject matter competency requirements for a credential established by the Commission. CDE provides a subject matter Verification Process for Middle and High School Level Teachers in Special Settings (VPSS) including secondary special education assignments in more than one content area.

All elementary, middle, and high school teachers assigned to teach NCLB core academic subjects were required to meet NCLB teacher requirements by June 2006. A teacher of NCLB core academic subjects must have:

1. A bachelor's degree
2. The appropriate state credential or have an intern credential for no more than three years, and
3. Demonstrate subject matter competency in each subject taught.

However, secondary special education teachers who teach two or more core academic subjects face unique challenges. The VPSS process provides an opportunity for teachers in special programs to develop the content and pedagogical skills necessary to ensure students are academically successful while meeting NCLB teacher requirements. The goal of the VPSS process is to ensure that teachers have the subject matter competency and skills to ensure that students can meet the California Academic Content Standards, pass the California High School Exit Exam (CAHSEE), achieve proficiency on the California Standards Tests (CSTs), and graduate from high school.

Special Education Teachers Who Qualify to Use the VPSS Process

To demonstrate NCLB High Quality Teacher compliance using the VPSS Process the special education teacher must:

1. Have at least a bachelor's degree;
2. Have a California special education credential or intern credential for no more than three years;
3. Have demonstrated NCLB High Quality Teacher compliance in one NCLB Core Academic Subject as defined in NCLB (20 USC 9101 [11]) including elementary multiple subjects; and
4. Be assigned to teach one or more core academic subjects in the following settings:
Secondary special education settings: A secondary special education teacher is eligible for this process if providing primary instruction in core academic subjects to students with disabilities who are not assessed with the California Alternative Performance Assessment (CAPA), regardless of the instructional setting. A special education teacher must be NCLB-compliant in one core academic subject or elementary multiple subjects and has up to three years from date of assignment as an eligible teacher to demonstrate subject matter competence in the necessary core academic subjects.^{vii}

As part of the most recent updating of the credential requirements for the Education Specialist, the Commission addressed alignment with NCLB and the VPSS process provided above. Each prospective Education Specialist teacher must now satisfy subject matter in one of the following core academic subject areas: art, English, mathematics, foreign language, science, social science, or by passing the Commission-approved examinations for the Multiple Subject Credential. The exception to this requirement is for Early Childhood Special Education teachers. Because the teacher is working with students from birth to pre-K, there is no subject matter requirement.

However, the Education Specialist credential holder is not restricted to the content area in which the individual satisfied subject matter. The credential authorizes the individual to teach all content areas to the students diagnosed with the disabilities authorized by the credential. If the Education Specialist Credential holder serves in a public school in a core content area, the employing agency will ask the teacher to demonstrate that he or she is Highly Qualified.

Special Education Teacher Populations

According to the federal Bureau of Labor Statistics, *Occupational Employment Statistics* in May 2011, a total of 31,380 special education teachers were employed in California. That total is broken down by three school levels in *Table D* below.^{viii}

Table D: Special Education Teachers Employed in California by School Level, May 2011

School Level	Total Employment	Percent of Total
Preschool, Kindergarten, and Elementary Schools	15,250	48.6%
Middle Schools	5,120	16.3%
Secondary Schools	11,010	35.1%
Totals	31,380	100%

Current Supply of Education Specialists Credential Holders

The Commission annually reports data to the Legislature through the *Teacher Supply Report* (http://www.ctc.ca.gov/reports/TSR_2010_11_Full_Report_Final_15March2012.pdf) on the number of special education teachers that earned full credentials, intern credentials, and permits during that year. In *Table E* below special education teacher supply data reflects the number of Education Specialist Credentials issued over the most recent five year period. The table breaks down the data by those prepared in Institutions of Higher Education (IHE) and School Districts in California along with those prepared outside of California. The total number of Education Specialists remains fairly consistent over the five year period with only a 1.2% overall increase in the total issued from the previous report year. While there was a slight increase in the overall total of Education Specialist Credentials issued, the issuance of these credentials based on educators prepared outside of California decreased by over 18% in 2010-2011 from the previous report year.^{ix}

Table E: Preliminary Education Specialist Credentials Issued in California, 2006-07 to 2010-11

	2006-07	2007-08	2008-09	2009-10	2010-11	% Change from 09-10
Institutions of Higher Education*	3,349	2,797	2,941	2,984	3,149	5.5%
District Prepared	107	157	198	133	124	-6.8%
Out of State Prepared	519	638	628	601	488	-18.8%
Totals	3,975	3,592	3,767	3,718	3,761	1.2%

*IHE prepared includes both student teacher and intern delivery models.

In *Table F*, below, special education teacher supply data reflects the number of Education Specialist Credentials issued by broad specialty area authorizations in 2010-2011. The table breaks down the data further by also incorporating data for individuals that were issued full credentials along with data for individuals that were issued intern credentials and permits.^x

Table F: Education Specialist Credentials Issued by Specialty Area Authorizations, 2010-11

	Credentials	University Internships	District Internships	Permits
Mild/Moderate Disabilities	3,198	865	195	237

Moderate/Severe Disabilities	1,085	377	60	172
Early Childhood Special Education	251	70	18	42
Deaf and Hard-of-Hearing	73	25	NA	21
Visual Impairments	22	10	NA	4
Physical and Health Impairments	17	5	NA	9
Total	4,646*	1,352	273	485

**The total number of credentials issued by specialty area exceeds the 2010-11 total noted in the Table E as an individual may earn more than one specialty area while the total provided in Table E reflects the total number of Education Specialist Credentials issued.*

Employing agencies requested over 2,100 intern credentials and teaching permits in special education which represents almost half of the number of Preliminary Education Specialist Credentials awarded in 2010-11. The number of intern credentials and permits requested in relation to the number of fully prepared educators in 2010-11 indicates that a shortage of individuals to teach in Special Education settings in California still exists. Additionally, according to *Teacher Shortage Areas Nationwide Listing 1990-91 Thru 2012-13 (U.S. Department of Education, April 2012)*, a total of 47 states reported one or more areas of special education shortage areas.^{xi} In reviewing the national teacher shortage data, special education has remained a predominant area of need for most states over the last two decades.

Adding an Additional Authorization

In order to address teacher shortage areas for specific disability areas as well as to provide more flexibility for employers and special education teachers, the Commission's Special Education Workgroup recommended the creation of Added Authorizations in Special Education (AASE). The Commission approved this recommendation by the workgroup and promulgated regulations for the AASEs that became effective July 2009. The AASEs are issued in six specific disability categories: autism spectrum disorders, deaf-blind, emotional disturbance, orthopedically impairment, other health impairment, and traumatic brain injury.

Special Education Assignments

The role of a teacher authorized to provide instruction and services for a particular disability area is based on preparation in the specifics of that disability area (such as environmental sensitivities and verbal behaviors associated with autism) so that the teacher may determine the implications of that disability in the school setting as well as provide research and evidence-based instructional strategies, specialized expanded curriculum areas, modifications and adaptations to access the general or special education curriculum.

The first part of the Commission's Special Education Authorization Chart with the currently-issued authorizations is provided in *Appendix D* for reference and specifies the federal disability categories authorized based on the specific content completed in the associated preparation program. The full chart that includes all special education credentials and authorizations is available on the Commission's website at <http://www.ctc.ca.gov/credentials/CREDS/special-education-chart.pdf>. Individuals holding special education credentials issued under prior regulations continue to be authorized to teach in the area(s) specified by their credentials. In

addition, the Commission may issue university and district intern credentials in special education to individuals serving in participating employing agencies.

In keeping with the requirement to place students with exceptional needs in the least restrictive environment as mandated by Federal Statutes, students are placed in educational programs according to need as determined by their Individualized Education Program (IEP), Individualized Family Service Program (IFSP), and/or Individualized Transition Plan (ITP). The IEP, IFSP, or ITP for each student must include a statement of the specific special education and related services to be provided and the extent that the student will be able to participate in the general education program. Each public agency must provide special education and related services to a student with a disability in accordance with an IEP, IFSP, or ITP. The result of this practice is that individuals with different disability areas may be served in the same class or in a variety of other settings through a wide range of service delivery models as defined in Title 34 of the Code of Federal Regulations.

Appropriate Credential

A special education teacher must hold a credential or authorization to provide instruction and supportive services for each of the disability categories of students in his or her classroom or other settings as set forth in the IEP.

Under prior regulations, the special education teacher only needed an authorization for the majority of students in their special education classroom. Regulation changes made by the Commission in 1997 to Title 5 §80046.5 removed the wording of ‘handicapping condition of the majority of the students’ as the main focus of the type of authorization the teacher held. For some years prior to 1997, it had been apparent that the authorizations of current special education credentials did not meet the needs and practices of California schools. This had been due, in part, to the placement of special education students based on the recommendations of their IEP as opposed to “fitting” them into the available programs.

This disconnection between needs and credentials was also exemplified by the increased focus on including children with special needs in general education programs. Based on these factors, policy decisions by the Commission led to this section of regulations changing in 1997 to focus on the teacher holding an appropriate credential and authorization for each student based on the recommendations in the IEP for the most appropriate placement for each student with special needs.

80046.5. Credential and Added Authorization Holders Authorized to Serve Students with Disabilities.

Credential and added authorization holders who are authorized to serve students through age 22 with disabilities must possess a credential or added authorization that authorizes teaching the primary disability of the students within the special education setting as determined by the program placement recommendation contained within the Individualized Education Program, Individualized Family Service Program, and/or Individualized Transition Plan.

A teacher must hold a credential or added authorization in special education (AASE) to serve each of the disability categories for students in the class as set forth in the IEP, IFSP, or ITP. An IEP team may determine that, based on assessments and goals in the IEP, an alternate placement may be appropriate. It is the employing agency's responsibility to determine how the special education services will be delivered. The IEP team determines the student's needs and the rationale for the particular services for placement of the student. Various alternative placements are sometimes required to the extent necessary to implement the IEP, IFSP, or ITP for each student with a disability. This change in regulations has had significant impact on special education assignment practices in California.

Autism and Added Authorizations in Special Education (AASE)

The excerpt below comes from the Autism Advisory Committee's Final Report, "A Call for Action: Improved Services for Children with Autism Spectrum Disorders" <http://www.cde.ca.gov/sp/se/as/saac.asp>:

Since the late 1990s the number of pupils with autism spectrum disorders (ASD) in California's public education system has rapidly increased. This growth intensifies the need for educational services to support this group. The Legislature responded by passing Assembly Bill 2513 (Chapter 783, Statutes of 2006), which authorizes the State Superintendent of Public Instruction to convene a statewide autism advisory committee to facilitate the development of consistent, evidence-based educational services for pupils with ASD.

According to Autism Statistics and Quick Facts provided in a May 2012 hearing for the California Legislature Senate Select Committee on Autism and Related Disorders, Autism is now the fastest growing disability in the state and the nation. There has been over a one thousand percent increase in the number of students with autism enrolled in K-12 education over the past 12 years. During this time the incidences of other developmental disabilities have remained relatively constant. Furthermore, autism is now the most common cause of fair hearings and litigation.

While holders of the Education Specialist Teaching Credential earned between 1997 and 2010 with specialty areas of Moderate-Severe or Early Childhood Special Education were prepared and authorized to serve students with Autism Spectrum Disorders, the rapid rise in the number of students with autism out-paced the number of teachers prepared to serve students in this disability area. Education Specialist teachers in the other specialty content areas, including Mild/Moderate, were not prepared or authorized to teach students on the autism spectrum. Therefore, effective June 30, 2008, Assembly Bill (AB) 2302 (Chap. 41, Stats. 2008) established an alternate route for assigning holders of specific special education credentials to provide special education instructional services to students with autism in California public schools. Education Code §44265.1 was amended to provide flexibility to enable employing agencies to more easily employ individuals to serve in the shortage area of autism. The provisions allowed local educational agencies or schools to assign a teacher with a credential authorizing services to students with mild and moderate disabilities to provide instruction to students with autism if the teacher satisfies specific criteria and consents to the assignment. AB 2160 (Chap. 134, Stats. 2010) extended the sunset date on this alternate route from August 1, 2011 to October 1, 2013.

In conjunction with this legislation, the Commission's Special Education Workgroup examined the needs of special education programs and made recommendations to the Legislature in December 2007 to streamline the credential process for special education teachers. One of the recommendations in the report was to change the current credential standards and authorization for teachers working with students with autism. The preparation for the current Preliminary Education Specialist Credential now has embedded content in ASD for every specialty area and provides a corresponding authorization effective 2010. Additionally, the Office of Administrative Law approved regulations for a Special Education Limited Assignment Permit (SELAP) and Added Authorizations in Special Education (AASE) effective July 3, 2009. The SELAP and the AASE provide additional pathway options for already credentialed special education teachers who were not prepared or authorized in ASD content. The SELAP is provided as a bridge to allow fully credentialed special education teachers the necessary time to complete requirements to earn an AASE in ASD.

National Comprehensive Center for Teacher Quality Report

The National Comprehensive Center for Teacher Quality addressed state challenges in special education teacher licensure in their revised 2009 report, *Navigating Highly Qualified Requirements for Special Education Teachers: State Challenges and Responses*. The report provides a review of federal HQT requirements for special education teachers but also examines special education licensure structure across states and highlights challenges in both special education preparation and the design of special education certification systems. Some key findings from this report include:

- *Specific to special education teacher certification, states differ on the types of certification or licensure that special education teachers are required to hold—with some states requiring special education teachers to hold general education certification with special education endorsements and other states requiring special education-specific certificates.*
- *States vary on disability designation, severity-level designations, and age designations specified on special education teacher certificates.*

Additionally, this report provided some key considerations for state education policy makers that included systemically aligning the general education and special education teacher certification systems to ensure consistency in the quality of education for all students and considering special education teacher certification designations that align with federal requirements. Appropriate designations might encompass age and grade-level designations, student population designations, and core content designations.^{xii}

Educator Excellence Task Force (EETF) Recommendations

In the EETF report, *Greatness by Design* released in September 2012 there is discussion on the issue of special education teachers in relation to serving general education students. The Task Force recommends a common set of standards should prepare all educators in these instructional approach models.

The gaps in preparation for Special Educators (Education Specialists) are perhaps even more unsettling. The role of the Education Specialist is not well defined in California relative to meeting the needs of students who have the most complex

disabilities and learning needs. Unlike many other states, Education Specialists in California are not required to have a general education credential prior to obtaining an Education Specialist credential.

At the same time, Education Specialists are not authorized to teach students who do not have an Individualized Education Plan (IEP) (i.e., typically developing students) if they do not hold a multiple subjects or single subject credential.

To address these problems, preparation should be restructured in the following ways:

- All educators (general educators, special educators and bilingual educators) should share a common base of preparation in general education by completing a common set of courses based on a common set of standards prior to specializing. This common base could be started in the undergraduate years to streamline the process.*
- The common set of standards should prepare all educators to work collaboratively as part of an instructional team, to co-teach with other educators and to be able to effectively implement instructional approaches, such as differentiated instruction, Universal Design for Learning, positive behavior support, progress monitoring and Response to Intervention.^{xiii}*

The Task Force also recommends that the preparation of Education Specialists should be advanced preparation based on the common foundation in general education for all initial candidates that should include depth of knowledge in reading intervention and RtI models. In Chapter 3 of the Greatness by Design report, recommendation E3 specifies that preparation for current Education Specialists who do not now have a multiple or single subject credential should be provided so that they are qualified to teach typically developing students. This preparation should be streamlined and focused on the required standards and field experience so that they can complete this preparation effectively and efficiently.^{xiv}

Policy Issues for the Commission's Discussion

The policy issues provided below comprise persistent questions and concerns raised related to special education credential structure in California for Commission discussion. Credential structures are developed primarily with the needs of the student in mind but also in direct response to state and federal laws. In addition, the structures attempt to address current service delivery models present in California's schools. At this time, special education services are delivered in a wide variety of models across California.

The special education credential in California was disconnected from the general education credential over a decade ago. Considering the chronic shortage of special education teachers in California and nationwide, there is a tension between strengthening requirements and the possibility of creating barriers for individuals entering the profession. The following questions call for some analysis of the benefits and limitations associated with changes that the Commission might want to consider in the area of special education. They are offered as a guide for Commissioner discussion, and possibly as a guide for further discussion with the field.

Special Education Credential: First Credential or post General Education Credential

Prior to 1997, teachers were required to earn a general education teaching credential prior to earning the authorization to teach students with special needs. At this time, an individual can earn the Education Specialist teaching credential as his or her only teaching credential. There have been opposing viewpoints from educators, stakeholders and the field on the need to systemically align the general education and special education teacher certification systems to ensure quality education for all students.

What are the benefits and limitations to the Education Specialist credential being an initial teaching credential?

Considering the movement toward inclusive practices and LRE, what might be the benefits and limitations to all general education teachers being prepared to also teach students with mild/moderate disabilities?

What would be the benefits and limitations to developing bridges between the general education preparation and authorization and the Education Specialist preparation and authorization structures?

Subject Matter Requirements for Academic Content Instruction

Although Education Specialist teachers must demonstrate subject matter competence in one of the NCLB content areas to earn the credential, the Education Specialist Teaching Credential authorizes the individual to teach any content area to students with the identified disability or disabilities. The content area for which the Education Specialist teacher met the subject matter requirement does not appear on the Education Specialist credential.

What would be the benefits and limitations if an Education Specialist credential was restricted to the content area(s) in which the teacher satisfied the subject matter requirement?

What would be the benefits and limitations if the content area for which the teacher met the subject matter requirement was displayed on the Education Specialist credential?

Age and Grade Levels Authorized

According to information provided in a 2009 report by the National Comprehensive Center for Teacher Quality, a special education credential is described as a “cross-grade/age certificate” if it spans most or all of the grade/age designations from early childhood through secondary. The report indicates that forty-two states offer cross-grade/age certificates with twenty-two not offering any certificates that are specific to elementary, middle, or secondary levels. There are states that include grade and age level designations on their special education credentials including grade/cognitive levels for teaching in a specific academic content area. California’s Education Specialist Credentials are considered cross-grade/age credentials with the exception of the ECSE specialty area that provides a specific age level designation for birth through Pre-K.

What are the benefits and limitations to the current Education Specialist cross-grade/age level credentials?

Broad Specialty Area Authorizations for Cross-Categorical Instruction

California’s Education Specialist credential is awarded in seven different specialty content areas. Three of the specialty areas are low incidence disabilities—visual, physical, or auditory impairments. Some states have special education credentials that are more generic—one credential allows an individual to teach across multiple disabilities. Some stakeholders have suggested that California’s MM and MS specialty areas should be broadened or combined. Other stakeholders would like the early childhood special education authorization embedded in both the Mild/Moderate and Moderate/Severe.

What are the benefits and limitations to California’s current broad specialty area authorizations?

Severity Level Designations for Specific Specialty Areas

In California, two broad specialty areas are currently issued with severity level designations – Mild/Moderate (M/M) and Moderate/Severe (M/S). Within these broad specialty area authorizations, the severity level designation is specifically noted for the disability category of Intellectual Disabilities (ID). Concerns have been raised by educators and employing agencies about the severity level distinction made for this disability area in relation to service delivery and appropriate authorization.

What are the benefits and limitations of California’s severity level designations for the specialty areas of Mild/Moderate and Moderate/Severe authorizations?

Multi-tiered Instruction: Teaching General Education Students in Intervention Settings

Education Specialist teachers are authorized to teach students who have been identified in one or more of the Federal disability categories. An Education Specialist teacher is not authorized to teach general education students. In some locally designed intervention models special education teachers provide short-term targeted intervention strategies focused on skills while in other

models the educator may serve in a content based extended (year-long) departmentalized course of additional instruction and intervention for both general education and special education students.

What type of preparation would be necessary for an Education Specialist teacher to teach any student—those identified as special education students and general education students—in a multi-tiered intervention setting?

Next Steps

Based on Commission discussion, additional agenda items could be prepared for future consideration. However, the policy issues above could also become topics for focus group meetings involving educators, employers, and program sponsors in order to gather additional stakeholder input.

End Notes

- ⁱ Commission on Teacher Credentialing - *Foundations of Special Education Certification in California*, Retrieved on November 26, 2012 from <http://www.ctc.ca.gov/live.html> under 'Recent Video Broadcasts' dated November 20, 2012.
- ⁱⁱ RTI Action Network is a program of the National Center for Learning Disabilities, funded by the Cisco Foundation , *RTI Definition*, Retrieved on November 15, 2012 from <http://www.rtinetwork.org/learn/what>
- ⁱⁱⁱ California Department of Education, *California Philosophy & Definition-RtI²*, Retrieved on November 15, 2012 from <http://www.cde.ca.gov/ci/cr/ri/rtiphilosophydefine.asp>
- ^{iv} Public Policy Positions. (1992). Public education positions of the National Association of State Boards of Education. Arlington, VA: National Association of State Boards of Education.
- ^v Public Policy Positions. (2008). Public education positions of the National Association of State Boards of Education.
- ^{vi} National Institute for Urban School Improvement *Improving Education: The Promise of Inclusive Schooling*. Retrieved from <http://www.edc.org/urban/publicat.htm>.
- ^{vii} California Department of Education – *California's Verification Process for Special Settings VPSS*, January 2007, Retrieved on January 10, 2013 from <http://www.cde.ca.gov/nclb/sr/tq/documents/vpssguidelines.doc>
- ^{viii} United States Department of Labor – Bureau of Labor Statistics, *Occupational Employment Statistics*, Special Education Teachers in California, May 2011, Retrieved on January 12, 2013 from http://www.bls.gov/oes/current/oes_ca.htm#25-0000
- ^{ix} Commission on Teacher Credentialing - *Teacher Supply Report, 2010-11* , Retrieved on January 15, 2013 from http://www.ctc.ca.gov/reports/TSR_2010_11_Full_Report_Final_15March2012.pdf
- ^x Commission on Teacher Credentialing - *Teacher Supply Report, 2010-11* , Retrieved on January 15, 2013 from http://www.ctc.ca.gov/reports/TSR_2010_11_Full_Report_Final_15March2012.pdf
- ^{xi} U.S. Department of Education - *Teacher Shortage Areas Nationwide Listing 1990-91 Thru 2012-13, April 2012*, Retrieved on January 18, 2013 from <http://www2.ed.gov/about/offices/list/ope/pol/tsa.doc>
- ^{xii} National Comprehensive Center for Teacher Quality – *Navigating Highly Qualified Teacher Requirements for Special Education Teachers: State Challenges and Responses*, Revised June 2009

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- ^{xiii} State Superintendent of Public Instruction Tom Torlakson appointed an Educator Excellence Task Force, a joint effort between the California Department of Education and the California Commission on Teacher Credentialing, produced a report - *Greatness by Design: Supporting Outstanding Teaching to Sustain a Golden State* (Updated 17-Sept-2012), Retrieved on November 15, 2012, from <http://www.cde.ca.gov/eo/in/documents/greatnessfinal.pdf>
- ^{xiv} State Superintendent of Public Instruction Tom Torlakson appointed an Educator Excellence Task Force, a joint effort between the California Department of Education and the California Commission on Teacher Credentialing, produced a report - *Greatness by Design: Supporting Outstanding Teaching to Sustain a Golden State* (Updated 17-Sept-2012), Retrieved on November 15, 2012, from <http://www.cde.ca.gov/eo/in/documents/greatnessfinal.pdf>

Federal Disability Definitions

Title 34: Education

PART 300—ASSISTANCE TO STATES FOR THE EDUCATION OF CHILDREN WITH DISABILITIES

Sec. 300.8 Child with a disability

(a) *General.*

(1) *Child with a disability* means a child evaluated in accordance with Sec. Sec.300.304 through 300.311 as having mental retardation, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance (referred to in this part as "emotional disturbance"), an orthopedic impairment, autism, traumatic brain injury, an other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services.

(2)(i) Subject to paragraph (a)(2)(ii) of this section, if it is determined, through an appropriate evaluation under Sec. Sec.300.304 through 300.311, that a child has one of the disabilities identified in paragraph (a)(1) of this section, but only needs a related service and not special education, the child is not a child with a disability under this part.

(ii) If, consistent with Sec.300.39(a)(2), the related service required by the child is considered special education rather than a related service under State standards, the child would be determined to be a child with a disability under paragraph (a)(1) of this section.

(b) *Children aged three through nine experiencing developmental delays.* *Child with a disability* for children aged three through nine (or any subset of that age range, including ages three through five), may, subject to the conditions described in Sec.300.111(b), include a child—

(1) Who is experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: Physical development, cognitive development, communication development, social or emotional development, or adaptive development; and

(2) Who, by reason thereof, needs special education and related services.

(c) *Definitions of disability terms.* The terms used in this definition of a child with a disability are defined as follows:

(1)(i) *Autism* means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences.

(ii) Autism does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance, as defined in paragraph (c)(4) of this section.

- (iii) A child who manifests the characteristics of autism after age three could be identified as having autism if the criteria in paragraph (c)(1)(i) of this section are satisfied.
- (2) *Deaf-blindness* means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.
- (3) *Deafness* means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification that adversely affects a child's educational performance.
- (4)(i) *Emotional disturbance* means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:
 - (A) An inability to learn that cannot be explained by intellectual, sensory, or health factors.
 - (B) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
 - (C) Inappropriate types of behavior or feelings under normal circumstances.
 - (D) A general pervasive mood of unhappiness or depression.
 - (E) A tendency to develop physical symptoms or fears associated with personal or school problems.
- (ii) Emotional disturbance includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance under paragraph (c)(4)(i) of this section.
- (5) *Hearing impairment* means an impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance but that is not included under the definition of deafness in this section.
- (6) *Mental retardation* means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a child's educational performance.
- (7) *Multiple disabilities* means concomitant impairments (such as mental retardation-blindness or mental retardation-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities does not include deaf-blindness.
- (8) *Orthopedic impairment* means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

- (9) *Other health impairment* means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that--(i) Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome; and(ii) Adversely affects a child's educational performance.
- (10) *Specific learning disability*--(i) *General*. Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. (ii) *Disorders not included*. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage.
- (11) *Speech or language impairment* means a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance.
- (12) *Traumatic brain injury* means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. Traumatic brain injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.
- 13) *Visual impairment including blindness* means an impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness.

[Authority: 20 U.S.C. 1401(3); 1401(30)]

<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=a8493b2e1c8d7bb90fca3eef0c28b3eb&rgn=div8&view=text&node=34:2.1.1.1.1.1.36.7&idno=34>

Appendix B

Statewide Data on Special Education Enrollment by Grade and Disability Area: 2011-2012

Source: California Department of Education Data Quest: <http://dq.cde.ca.gov/dataquest/>

Reporting Cycle: December 1, 2011

Grade	ID ¹	HH ²	DEAF ³	SLI ⁴	VI ⁵	ED ⁶	OI ⁷	OHI ⁸	SLD ⁹	DB ¹⁰	MD ¹¹	ASD ¹²	TBI ¹³	Total
K	1,785	433	206	20,439	195	90	780	1,285	882	7	274	5,481	47	31,904
1	2,075	508	216	22,275	214	328	772	1,936	3,782	5	279	5,827	46	38,263
2	2,129	555	194	20,980	254	533	761	2,980	8,620	6	322	5,922	67	43,323
3	2,259	602	213	18,388	269	905	798	3,772	15,482	13	315	5,857	83	48,956
4	2,298	595	224	14,905	266	1,212	795	4,619	20,927	8	300	5,445	93	51,687
5	2,437	659	224	11,428	268	1,464	833	5,056	25,501	9	267	5,104	115	53,365
6	2,515	686	231	7,958	283	1,849	866	5,455	28,164	11	314	4,700	112	53,144
7	2,687	665	233	5,054	258	2,054	867	5,475	28,909	6	314	4,478	114	51,114
8	2,640	617	246	3,654	272	2,414	835	5,611	28,249	5	317	4,049	141	49,050
9	2,835	680	234	2,521	285	3,184	882	6,043	31,022	12	294	3,907	159	52,058
10	2,898	564	285	2,038	286	3,593	897	5,630	29,691	9	306	3,347	155	49,699
11	2,907	575	316	1,694	283	3,838	895	5,186	28,196	11	310	3,041	172	47,424
12	4,594	545	399	1,474	355	3,824	1,360	4,944	26,370	13	472	3,646	256	48,252
Other	9,244	2,307	725	31,792	839	696	2,920	3,851	2,903	45	1,559	11,021	211	68,113
Total	43,303	9,991	3,946	164,600	4,327	25,984	14,261	61,843	278,698	160	5,643	71,825	1,771	686,352

¹ ID – Intellectual Disability (formerly titled Mental Retardation – MR)

² HH – Hard of Hearing

³ DEAF – Deaf

⁴ SLI – Speech or Language Impairment

⁵ VI – Visual Impairment including Blindness

⁶ ED – Emotional Disturbance

⁷ OI – Orthopedic Impairment

⁸ OHI – Other Health Impairment

⁹ SLD – Specific Learning Disability

¹⁰ DB – Deaf-Blindness

¹¹ MD – Multiple Disability

¹² ASD – Autism Spectrum Disorders (also titled AUT – Autism)

¹³ TBI – Traumatic Brain Injury

Appendix C

CBEDS Assignment Course Code Definitions

Special Education (SE) Subjects*

* Course definitions below reflect instructional practices and national and state curriculum guidelines for reporting on the California Basic Educational Data System (CBEDS) as of 2008. <http://www.cde.ca.gov/ds/dc/cb/subjects.asp>

3005 SE Elementary

This course is designed to provide specially designed instruction in the elementary grade content standards meeting the unique needs of children with disabilities who have an individualized education program (IEP).

A course taught by an individual holding a Special Class Authorization on a Clinical Rehabilitative Services Credential who is providing specially designed instruction in the elementary grade content standards meeting the unique needs of children with disabilities who have an IEP should also report under this code.

A course for elementary, middle, or secondary students with significant cognitive disabilities who receive instruction in curriculum aligned to alternate achievement standards should also be reported under this code. This course should not be reported under code 3019.

3019 SE Elementary or Secondary Other Non-Core Academic Subject Areas

This course is designed to provide specially designed instruction in other non-core academic subject areas meeting the unique needs of children with disabilities who have an IEP. This may include non-core academic subjects such as health, computer science, adaptive physical education, vocational and career technical education, driver education training, and speech and language therapy.

A course for elementary, middle, or secondary students with significant cognitive disabilities who receive instruction in curriculum aligned to alternate achievement standards are not reported under this code. This course should be reported under code 3005.

3016 SE Secondary Arts (art, music, dance, drama)

This course is designed to provide specially designed instruction in the secondary Arts content standards meeting the unique needs of children with disabilities who have an IEP. In order to be No Child Left Behind (NCLB) Compliant, these teachers must be deemed subject matter competent in the Arts and other NCLB teacher requirements.

3010 SE Secondary English/Language Arts/Reading

This course is designed to provide specially designed instruction in the secondary English/Language-arts content standards meeting the unique needs of children with disabilities who have an IEP. In order to be NCLB Compliant, these teachers must be deemed subject matter competent in English/Language-arts/Reading and other NCLB teacher requirements.

3017 SE Secondary Foreign Language

This course is designed to provide specially designed instruction in the secondary Foreign Language content standards meeting the unique needs of children with disabilities who have an IEP. In order to be NCLB Compliant, these teachers must be deemed subject matter competent in Foreign Language and other NCLB teacher requirements.

3012 SE Secondary General Science

This course is designed to provide specially designed instruction in the secondary General Science content standards meeting the unique needs of children with disabilities who have an IEP. In order to be NCLB Compliant, these teachers must be deemed subject matter competent in General Science and other NCLB teacher requirements.

3013 SE Secondary Life Science

This course is designed to provide specially designed instruction in the secondary Life Science content standards meeting the unique needs of children with disabilities who have an IEP. In order to be NCLB Compliant, these teachers must be deemed subject matter competent in Life Science and other NCLB teacher requirements.

3011 SE Secondary Mathematics

This course is designed to provide specially designed instruction in the secondary Mathematics content standards meeting the unique needs of children with disabilities who have an IEP. In order to be NCLB Compliant, these teachers must be deemed subject matter competent in Mathematics and other NCLB teacher requirements.

3014 SE Secondary Physical Science

This course is designed to provide specially designed instruction in the secondary Physical Science content standards meeting the unique needs of children with disabilities who have an IEP. In order to be NCLB Compliant, these teachers must be deemed subject matter competent in Physical Science and other NCLB teacher requirements.

3015 SE Secondary Social Science

This course is designed to provide specially designed instruction in the secondary Social Science content standards meeting the unique needs of children with disabilities who have an IEP. In order to be NCLB Compliant, these teachers must be deemed subject matter competent in Social Science and other NCLB teacher requirements.

3020 SE Consultation/Instructional Support – Elementary or Secondary

Teachers in this assignment are not providing initial direct instruction, but are providing instructional support to students with disabilities on an IEP. These teachers also may be consulting with an NCLB compliant teacher who is providing direct instruction in the core elementary or secondary curriculum.

Appendix D

Credential Authorization	Specific Learning Disability/Mental Retardation (<i>Mild/Moderate</i>)	Mental Retardation (<i>Moderate/Severe</i>)	Emotional Disturbance	Multiple Disabilities	Autism	Speech or Language Impairment	Deafness or Hearing Impairment	Deaf-Blindness	Visual Impairment Including Blindness	Orthopedic Impairment	Other Health Impairment	Traumatic Brain Injury
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Education Specialist Instruction Credentials (initially issued effective September 27, 1997- except Language and Academic Development effective September 03, 2011)

**Also authorizes service as a resource specialist across all disability areas at the grade level of the document.*

Mild/Moderate * (K-12 to Age 22)	X		X		◆ ¹						X	
Moderate/Severe * (K-12 to Age 22)		X	X	X	X			X				
Language and Academic Development * (Pre-K to Age 22)	◆ ²											
Deaf & Hard-of-Hearing * (Birth to Age 22)					◆ ¹		X	X				
Physical & Health Impairment * (Birth to Age 22)				X	◆ ¹					X	X	X
Visual Impairment * (Birth to Age 22)					◆ ¹			X	X			
Early Childhood Special Education * (Birth to Pre-K only)	X	X	X	X	X						X	X

- 1 Autism Spectrum Disorders (ASD) content is included in all preliminary Education Specialist Teaching Credential programs in all specialty areas. The preliminary credential will authorize the holder to provide autism instructional services to students within the specialty area(s) of their credential. The additional ASD authorization is for California-prepared special educators. The ASD authorization will appear as a separate authorization on the Education Specialist Teaching Credential document.
- 2 The Language and Academic Development Education Specialist Credential authorizes services for ages preschool to age 22 across disability areas **limited to** students identified with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas.

Appendix E

Historical Information on Special Education Credentials and Authorizations

As explained in the November 2012 webcast, *Foundations of Special Education Certification in California*ⁱ, special education credentials have been issued for many years in California under the umbrella of General, Standard and Ryan Credentials. Over the past 40 years, numerous legislative measures have influenced programs and services for students with special needs both in California and nationally. The reauthorization of the Individuals with Disabilities Education Act (IDEA) and the No Child Left Behind (NCLB) Act had a significant impact on the most recent changes in 2010 to special education credentials in California.

Ryan Specialist Instruction Credentials

The 1970 Ryan Act, which also created the Commission, established four Specialist Instruction Credentials in Special Education: Learning Handicapped, Severely Handicapped, Communicatively Handicapped, and Physically Handicapped (including orthopedically handicapped and visually handicapped). Prospective special education teachers were required to hold a prerequisite general education teaching credential before they earn a special education credential, which was considered an “advanced specialist credential.” In 1974, under the term “individuals with exceptional needs,” the same four sub-classifications identified by the Ryan Act were also identified in the California Master Plan for Special Education by the California Department of Education. A number of further developments took place during the ensuing years as the Commission continued to improve the special education credential structure.

Education Specialist Credentials (Level I and Level II)

In 1993, the Commission adopted policies to begin a major restructuring of special education credentials. Between 1994 and 1996, a Special Education Advisory Panel composed of special education teachers, administrators, university professors, school board members, personnel directors, audiologists, language and speech specialists as well as infant specialists were charged with advising the Commission on the development of a new special education credential structure and to recommend corresponding program standards. The new structure and program standards for the Education Specialist Credentials were adopted by the Commission in the fall of 1996 and implemented beginning in January of 1997.

When the Commission adopted the Education Specialist Credential structure in 1996, the Education Specialist Credential became an initial basic credential rather than an “advanced specialist” level of certification. Special education teachers were no longer required to earn a Multiple or Single Subject Teaching Credential prior to earning the Education Specialist Credential. Both the Commission and the Special Education Advisory Panel recognized the widespread shortages of teachers in special education. The elimination of the prerequisite teaching credential requirement was expected to help alleviate the shortage.

The Education Specialist Credential standards adopted in 1996 required collaboration with general education teachers and fieldwork in both general and special education. Under the 1997 standards, Education Specialist Credential candidates were also required to demonstrate subject matter competence either through completion of an approved subject matter preparation program or passage of a Commission-approved subject matter examination in any general education

credential content area. However, the authorization of the credential was not restricted to a particular grade level, or subject matter area. The Education Specialist Credential was developed as two-tier credential and was initially implemented beginning with a Level I credential, followed by a Level II credential that included additional advanced preparation through an approved Level II program while employed and providing special education services.

Current Education Specialist Credentials (Preliminary and Clear)

In June 2006, the Commission directed staff to begin the review and revision of the structure and requirements for the Education Specialist Credentials. The Special Education Credential Work Group was formed in December 2006. At the December 2007 meeting, the Commission approved a *Report to the Governor and Legislature on the Study of Special Education Certification* that contained 25 recommendations for modifications and improvements to the Education Specialist Credentials. In January 2008, the Commission approved an implementation plan that outlined the steps that would be taken to implement those 25 recommendations. Included in that plan was the establishment of a Design Team that had the responsibility for developing a set of proposed *Standards of Program Quality and Effectiveness* for all Education Specialist Credentials, credential authorization statements and added authorizations in special education, and Teaching Performance Expectations for candidates earning the Education Specialist Credentials. The fourteen member Design Team was assisted by subcommittees representing specialized expertise in each of the credential areas where standards and authorizations were developed. The Commission approved standards for the Preliminary and Clear Education Specialist Credentials and added authorizations in late 2008 and early 2009.

The change in content when the program standards were revised in 1997 is very similar to recent content changes in the program standards for the Education Specialist Credential during the 2010 revisions that embedded content for autism spectrum disorders (ASD) across all Education Specialist Credential specialty areas. These content changes within the program standards in both of these cases reflect both an increase in demand for prepared educators based on a corresponding increase in the student population in these disability categories as well as recognition of the shift in service delivery and placements for these student populations based on LRE. Therefore, candidates that complete the new Preliminary Education Specialist in M/M along with the other specialty areas now earn an authorization for serving students in the disability area of ASD because it reflects the new content in their program standards. Previously prepared M/M candidates completing the Level I and Level II Education Specialists do not hold an authorization for serving students in the disability area of ASD unless they also complete additional specific AASE program content in the disability area to add the additional ASD authorization.

¹ Commission on Teacher Credentialing - *Foundations of Special Education Certification in California*, Retrieved on November 26, 2012 from <http://www.ctc.ca.gov/live.html> under 'Recent Video Broadcasts' dated November 20, 2012.