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Action

Public Hearing

Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to English Learner Authorizations for California Prepared Teachers and the World Language: English Language Development Content Area Authorization

Executive Summary: This agenda item presents proposed amendments to Title 5 of the California Code of Regulations pertaining to English learner authorizations for California prepared teachers and the World Language: English Language Development content area authorization.

Recommended Action: Staff recommends that the Commission adopt the proposed amendments to the regulations pertaining to English learner authorizations for California prepared teachers and the World Language: English Language Development content area authorization.

Presenter: Tammy A. Duggan, Consultant, Certification Division

Strategic Plan Goal

I. Educator Quality

- ◆ Develop, maintain, and promote high quality authentic, consistent educator assessments and examinations that support development and certification of educators who have demonstrated the capacity to be effective practitioners.

Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to English Learner Authorizations for California Prepared Teachers and the World Language: English Language Development Content Area Authorization

Introduction

This rulemaking action proposes amendments to Title 5 of the California Code of Regulations (CCR) pertaining to English learner authorizations for California prepared teachers and the World Language: English Language Development (ELD) content area as approved by the Commission at the March 2013 meeting.

Background

The proposed regulations are based on the work completed during the past three years by the Commission and the English Learner Authorizations Advisory (ELAA) Panel to improve teaching and learning related to English learner students in California public schools. The Commission heard multiple prior agenda items relating to the work of the ELAA Panel and took several related actions. One component of this work addressed within the proposed regulations includes the new content area authorization of World Language: ELD for the Single Subject Teaching Credential. The other aspects of the work addressed in the proposed regulations include changes in the scope of the English learner authorizations for future completers of the Multiple Subject, Single Subject, and Education Specialist teacher preparation programs in order to align with the level of preparation provided. The World Language: ELD content area authorization and the revised EL authorization structure for California prepared teachers were previously approved by the Commission in December 2011 as part of the ELAA Panel's recommendations (<http://www.ctc.ca.gov/commission/agendas/2011-12/2011-12-5B.pdf>).

In January 2012, the Commission adopted Subject Matter Requirements (SMRs) for the Single Subject World Language: ELD content area. These SMRs are currently being used to develop the CSET subject matter examination in World Language: ELD and also served as the basis of the adopted Program Standards for the subject matter program (<http://www.ctc.ca.gov/commission/agendas/2012-01/2012-01-3A.pdf>).

In August 2012, the Commission adopted a timeline for implementation of the revised English learner authorizations structure for future holders of Multiple Subject, Single Subject, and Education Specialist Teaching Credentials based on their preparation in California (<http://www.ctc.ca.gov/commission/agendas/2012-08/2012-08-4F.pdf>).

In January 2013, the Commission adopted modifications to educator preparation standards to assure that these standards reflect the most current research and practices relating to the education of English learners with the intent of improving the delivery of services to English learners (<http://www.ctc.ca.gov/commission/agendas/2013-01/2013-01-4B.pdf>). At the same

meeting the Commission also completed the final step necessary to move forward with program development for the World Language: ELD content area by adopting the necessary subject matter program preconditions and the Single Subject Teaching Credential preparation program content specific pedagogy standard (<http://www.ctc.ca.gov/commission/agendas/2013-01/2013-01-4E.pdf>).

The purpose of the proposed regulation amendments is to align the authorization structure with the preparation received by beginning teachers and is based on the following rationale:

- After reviewing extensive current research, the ELAA Panel and the Commission determined that current teacher preparation is not sufficient to support a departmentalized authorization for ELD for either multiple or single subject teachers.
- The ELAA Panel recommended that the authorization for providing ELD be limited to instruction that occurs within the scope of the teacher's basic credential authorization, as is consistent with the level of preparation provided by Multiple Subject, Single Subject, and Education Specialist teacher preparation programs. This recommendation was approved by the Commission in December 2011.
- The ELAA Panel determined that ELD represents a separate discipline that should have its own single subject credential within the World Language content area. The Commission approved this recommendation and directed the ELAA Panel to develop the subject matter content needed to underlie this credential.

Revised English Learner Authorization Structure

The Commission adopted a revised English Learner Authorizations Structure at its December 2011 meeting (<http://www.ctc.ca.gov/commission/agendas/2011-12/2011-12-5B.pdf>). The Commission approved the recommendation of the ELAA Panel that current teacher preparation is not sufficient to support the content area of ELD in a departmentalized setting for either multiple or single subject teachers and concluded that the authorization for providing ELD should be "limited to instruction that occurs within the scope of the teacher's basic credential authorization, as is consistent with the level of preparation provided by Multiple Subject, Single Subject, and Education Specialist teacher preparation programs."

Since the authorization to provide Specially Designed Academic Instruction in English (SDAIE) services is clearly tied in statute to the teacher's underlying prerequisite credential, it is consistent with legislative intent and with the mission of meeting the needs of all of California's diverse students that the ELD authorization provided through Senate Bill (SB) 2042 (Chap. 548, Stats. 1998) and Assembly Bill (AB) 1059 (Chap. 711, Stats. 1999) teacher preparation programs also be tied to the teacher's underlying prerequisite credential.

The revised authorization structure adopted in December 2011 limits the authorization for ELD and SDAIE services to more closely align with the preparation provided in the teaching credential program and leaves unchanged the authorization for the Crosscultural, Language, and Academic Development (CLAD) Certificate or English learner authorization based on completion of a Commission-approved California Teachers of English Learners (CTEL) program or examination.

Authorization Scope for the World Language: English Language Development Credential
 As adopted by the Commission in December 2011, the Single Subject Credential in World Language: ELD authorizes the teaching of ELD in departmentalized settings and also SDAIE for additional content areas added to the basic credential or any additional prerequisite credential earned (<http://www.ctc.ca.gov/commission/agendas/2011-12/2011-12-5B.pdf>).

Table A provides an outline of both the revised scope of the English learner authorizations based on the preparation route completed and the scope of the new authorization for the World Language: ELD content area.

Table A: English Learner Authorizations Scope

EL Preparation Route	Revised Scope of the EL Authorization
Multiple Subject Teaching Credential holders	SDAIE and ELD in self-contained and core settings
Single Subject Teaching Credential holders	SDAIE and ELD within the content area(s) authorized on the credential
Education Specialist Instruction Credential holders	SDAIE and ELD for students with special needs across the full continuum of placement options indicated in the students' IEPs and in alignment with the disability categories authorized by the teacher's credential and authorizations
CLAD Certificate or English Learner Authorization holders based on completion of a Commission-approved CTEL program or examination	SDAIE and ELD in the grade levels, subjects and settings authorized by the prerequisite teaching credential and ELD as a separate departmentalized content area in grades Pre-K-12 and for adults
World Language: ELD	Departmentalized ELD including reading, writing, listening and speaking in grades Pre-K-12 and classes organized primarily for adults and SDAIE (for additional subjects added to the basic credential or any additional basic credential earned)

Implementation Dates

In accordance with California Education Code (EC) §44251.2, a credential, permit, certificate, or other document once issued by the Commission remains in force in accordance with the laws and regulations under which it was issued, and is exempt from new laws and regulations. The holder retains the full scope of the original authorization as specified under the laws and regulations under which it was issued and additional requirements may not be added later as a condition of retaining the document and authorization.

The proposed regulations include a final date of December 31, 2013 for candidates to enroll in programs based on the current authorization structure as approved by the Commission in August 2012. The proposed regulations also include a transition window, or period of time allowed for completion of the program and authorization for which they were enrolled. The terms “enrolled” and “continuously enrolled” are defined in EC§44252.1(b), as provided below:

For the purposes of this section, the following terms shall have the following meanings:

- (1) "Enrolled" refers to an individual who, on or after January 1, 2002, continuously participates in and is working toward completing the requirements for a program that meets the minimum requirements for a California preliminary multiple or single subject teaching credential as specified in Section 44259. Whether an individual is enrolled shall be subject to verification by the Commission on Teacher Credentialing.*
- (2) "Continuously enrolled" refers to an individual who has begun a teacher preparation program and does not have a break in that participation that exceeds a period of 18 months.*

Consistent with the sections of statute referenced above, all current holders of valid California credentials with English learner authorizations and those enrolled in California programs prior to the cut-off transition date established by the Commission in the proposed regulations would retain an English learner authorization with the same scope and content that is currently issued for as long as they hold their valid California credential. Therefore, in departmentalized settings, there would still be a considerable pool of teachers eligible to provide departmentalized ELD instructional services. This pool would include but not be limited to teachers with a Multiple or Single Subject Teaching Credential or an Education Specialist Instruction Credential issued with an EL authorization as long as program enrollment occurs by December 31, 2013, holders of a CLAD Certificate or English learner authorization earned through a Commission-approved CTEL program or examination, and teachers with the new Single Subject World Language: ELD Credential.

EC §44252.1(c)(1) provides candidates a minimum of 24 months after enrollment for program completion without any new criteria based on changes in statute, regulations or standards:

The commission shall adopt regulations that provide a credential candidate enrolled in a commission-accredited preparation program time of not less than 24 months after enrollment in the program, during which time new or amended statutes, regulations, and commission standards that become effective and are imposed on credential candidates after the candidate's enrollment date shall not apply to that candidate.

The Education Code does allow for an additional extension for extenuating circumstances and EC §44252.1(c)(2) outlines a process and some conditions under which an extension may be granted:

The commission shall allow a credential candidate an extension of time in addition to the time specified pursuant to paragraph (1) to complete a credential program under the statutes, regulations, and commission standards in place at the time of the candidate's enrollment if the candidate can demonstrate extenuating circumstances, including, but not limited to, personal or family illness, bereavement, or financial hardship and develops a plan, in consultation with the credential preparation program, for continued progress toward completion of the preparation program.

For candidates in blended or integrated programs, EC §44252.1(e)(2) discusses an automatic 12-month free-of-new-criteria period once the candidate begins the student teaching component.

A credential candidate continuously enrolled in an integrated program of professional preparation pursuant to subdivision (a) of Section 44259.1 who has completed all requirements necessary to begin the student teaching component of his or her program shall be eligible to receive an extension of 12 months, if necessary, to complete the outstanding requirements that were in place when that credential candidate began the preparation program, and shall not be subject to any new requirements added by statute, regulation, or commission standards, once that candidate begins the student teaching portion of his or her program.

Title 5 of the California Code of Regulations §80473.1(b) provides the timeframe of up to twelve months for these candidate extensions and specifies the process in Title 5 §80473.1(g):

The Commission shall maintain a list of candidates who are allowed an extended time period under this section. This list shall include the projected date of program completion for each candidate.

The proposed regulations specify the final initial issuance dates for Preliminary Multiple Subject, Single Subject, and Education Specialist Credentials for candidates who enrolled on or before December 31, 2013. As approved by the Commission, candidates enrolled by December 31, 2013 will be allowed two years to complete a program that leads to the current English learner authorization, with the exception of individuals enrolled in Education Specialist district intern programs. Education Specialist District Intern Credentials are issued for three years; therefore, individuals with this type of district intern credential will be allowed three years to complete a program that leads to the current English learner authorization. The proposed final initial issuance dates include the 24 months specified in EC §44252.1(c)(1) plus 12 months to allow for a possible extension specified in subdivisions (c)(2) and (e)(2). For all Multiple Subject and Single Subject Credential candidates and all Education Specialist candidates except those enrolled in district intern programs, the proposed final initial issuance date for the preliminary credential with the current English learner authorization is December 31, 2016. The proposed final initial issuance date for a preliminary Education Specialist credential with the current English learner authorization for candidates enrolled in district intern program is December 31, 2017.

Summary of Proposed Regulation Amendments

§80003. Multiple Subject Teaching Credential Authorization for Service.

(c): Proposes deletion of the word “and” at the end of this subsection due to the proposed addition of subsection (e).

(d): Proposes the addition of the relevant EC section (§44258.1) for clarity. Also proposes amendment of the period (.) to a semicolon (;) and the addition of the word “and” at the end of this subsection due to the proposed addition of subsection (e).

(e): Proposed new subsection to preface the English learner authorizations for Multiple Subject Teaching Credentials as determined by program enrollment date.

(e)(1): Proposed new subsection stating that individuals enrolled in California multiple subject teacher preparation programs on or before December 31, 2013 who remain continuously enrolled will earn the English learner authorization specified in EC §44253.3(a) per the implementation timeline approved by the Commission in August 2012. Also proposes December 31, 2016 as the final initial issuance date for a Preliminary Multiple Subject Teaching Credential with the referenced English learner authorization.

(e)(2): Proposed new subsection defining the English learner authorization individuals will earn on a Multiple Subject Teaching Credential if program enrollment occurs after December 31, 2013 per the implementation timeline approved by the Commission in August 2012.

Note: Proposes amendments to add additional relevant EC references.

§80004. Single Subject Teaching Credential Authorization for Service.

(a) and (b): Proposes the amendment of “subject” to “content” for consistency with current Commission terminology pertaining to Single Subject Teaching majors.

(c): Proposes the amendment of “subject” to “content” for consistency with current Commission terminology pertaining to Single Subject Teaching Credential majors. Also proposes the addition of “career” before “technical” for consistency with the current Designated Subjects Career Technical Education and Vocational Education Teaching Credentials authorizations [reference 5 CCR §§80034.2(c), 80035(e), and 80035.1(e)].

(d): Proposes amendments to delete the redundant reference to “the holder,” add “is,” and change “authorizes” to “authorized” for clarity.

(e): Proposed new subsection to detail the authorization for the World Language: ELD content area as recommended by the ELAA Panel and approved by the Commission.

(f): Proposed new subsection to preface the English learner authorizations for Single Subject Teaching Credentials as determined by program enrollment date.

(f)(1): Proposed new subsection stating that individuals enrolled in California single subject teacher preparation programs on or before December 31, 2013 who remain continuously enrolled will earn the English learner authorization specified in EC §44253.3(a) per the implementation timeline approved by the Commission in August 2012. Also proposes December 31, 2016 as the final initial issuance date for a Preliminary Single Subject Teaching Credential with the referenced English learner authorization.

(f)(2): Proposed new subsection defining the English learner authorization individuals will earn on a Single Subject Teaching Credential if program enrollment occurs after December 31, 2013 per the implementation timeline approved by the Commission in August 2012.

Note: Proposes amendments to swap the EC subsections referenced for §44225 in the Authority Cited and References section for consistency with 5 CCR §80003 and to add additional relevant EC references.

§80048.6. Authorizations for Education Specialist Instruction Credentials and Special Education Added Authorization.

(b)(1), (b)(2), (b)(6), and (b)(7): In 2010, President Obama signed “Rosa’s Law” creating federal legislation to replace the term “mental retardation” (MR) with “intellectual disability.” SB 1381 (Chap. 457, Stats. 2012) revised many California statutes to eliminate use of “mental retardation” and “mentally retarded.” As stated in the bill, state agencies must revise regulations to update “mental retardation” to “intellectual disability” when there is another reason to revise the regulation. The proposed amendments to the listed subsections revise all references to “mental retardation” to “intellectual disabilities” to comply with SB 1381.

(b)(8): Proposes amendment of “section” to “Section” for consistency with other references to EC sections.

(b)(10): Proposes the addition of language to preface the types of available English learner authorizations for Education Specialist credentials as determined by program enrollment date.

(b)(10)(A): Renumbered from (b)(10) due to the proposed addition of new language and amends “section” to “Section” for consistency with other EC references. Proposes amendments to change “who complete” to “enrolled in” and add the final program enrollment date for a credential that will include the referenced English learner authorization. Also proposes the deletion of language detailing the English learner authorization and the addition of language, including reference to EC §44253.3(a), for consistency with the proposed language in 5 CCR §§80003(e)(1) and 80004(e)(1). The grade level and subject area authorizations for ELD and SDAIE instruction that are proposed to be deleted from this subsection are detailed in EC §44253.3(a).

(b)(10)(A)(i): Proposed new subsection to establish the final initial issuance date for preliminary Education Specialist credentials with the English learner authorization specified in subsection (b)(10)(A) for individuals enrolled in traditional, blended or integrated, and university intern programs per the implementation timeline approved by the Commission in August 2012.

(b)(10)(A)(ii): Proposed new subsection to establish the final initial issuance date for preliminary Education Specialist credentials with the English learner authorization specified in subsection (b)(10)(A) for individuals enrolled in district intern programs per the implementation timeline approved by the Commission in August 2012.

(b)(10)(B): Proposed new subsection defining the English learner authorization individuals will earn on an Education Specialist credential if program enrollment occurs after December 31, 2013 per the implementation timeline approved by the Commission in August 2012.

Note: Proposes amendments to add additional relevant EC references.

Documents Incorporated by Reference: None.

Documents Relied Upon in Preparing Regulations:

December 2011 Commission agenda item 5B:

<http://www.ctc.ca.gov/commission/agendas/2011-12/2011-12-5B.pdf>

January 2012 Commission agenda item 3A:

<http://www.ctc.ca.gov/commission/agendas/2012-01/2012-01-3A.pdf>

August 2012 Commission agenda item 4F:

<http://www.ctc.ca.gov/commission/agendas/2012-08/2012-08-4F.pdf>

January 2013 Commission agenda items 4B and 4E:

<http://www.ctc.ca.gov/commission/agendas/2013-01/2013-01-4B.pdf>

<http://www.ctc.ca.gov/commission/agendas/2013-01/2013-01-4E.pdf>

Disclosures Regarding the Proposed Actions

The Commission has made the following initial determinations:

Mandate to local agencies or school districts: None.

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

Cost or savings to any state agency: None.

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

Significant effect on housing costs: None.

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

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

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

Statement of the Results of the Economic Impact Assessment [Govt. Code § 11346.5(a)(10)]: The Commission concludes that it is (1) unlikely that the proposal will create any jobs within the State of California; 2) unlikely that the proposal will eliminate any jobs within the State of California; 3) unlikely that the proposal will create any new businesses with the State of California; 4) unlikely that the proposal will eliminate any existing businesses within the State of California; and 5) unlikely the proposal would cause the expansion of businesses currently doing business within the State of California.

The Commission anticipates that the proposed amendments will benefit the welfare of students attending public schools in the State of California by aligning the English learner authorization for future completers of the Multiple Subject, Single Subject, and Education Specialist teacher preparation programs with the level of preparation provided; and creating a World Language: ELD content area authorization that will authorize the holder to provide ELD within departmentalized settings upon completion of a Single Subject teacher preparation program.

The proposed regulations will promote fairness and prevent discrimination by ensuring the authorizations issued to teachers of English learner students are properly aligned with the level of preparation completed. The Commission does not anticipate that the proposed regulations will result in the protection of public health and safety, worker safety, or the environment, the prevention of social inequity or an increase in openness and transparency in business and government.

Effect on small businesses: The proposed regulations will not have a significant adverse economic impact upon business. The proposed regulations apply only to individuals applying for teaching credentials that authorize service in California's public schools.

Notice of Proposed Rulemaking Mailing List and Responses

Mailing List

- Members of the Commission on Teacher Credentialing
- California County Superintendents of Schools
- Credential Analysts at the California County Superintendents of Schools Offices
- Superintendents of Selected California School Districts
- Deans and Directors at the California Institutions of Higher Education with Commission-approved programs
- Credential Analysts at the California Institutions of Higher Education with Commission-approved programs
- Presidents of Selected Professional Educational Associations

Also placed on the Internet at <http://www.ctc.ca.gov>.

Tally of Responses

As of Tuesday, May 29, 2013 the Commission had received the following written responses to the public announcement:

Support

1 organizational opinions
0 personal opinions

Opposition

0 organizational opinions
0 personal opinions

Total Responses: 1

Responses Representing Individuals in Support

1. Susana Fernandez, Support Services Manager, Orange County Department of Education

Staff Recommendation

Staff recommends that the Commission adopt the proposed amendments to the regulations pertaining to English learner authorizations for California prepared teachers and the World Language: ELD content area authorization.

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

§ 80003. Multiple Subject Teaching Credential Authorization for Service.

The Multiple Subject Teaching Credential authorizes the holder to provide the services described below in grades twelve and below, including preschool, and in classes organized primarily for adults.

- (a) Teach all subjects in a self-contained class;
- (b) Teach in a team teaching setting or regroup students across classrooms as authorized in Education Code Section 44258.15. For the purpose of this section, team teaching is defined as two teachers of the same grade level exchanging students for the purpose of instruction in specific subjects. Regrouping of students is the practice of two or more teachers combining students across classes for specific instructional purposes;
- (c) Teach core classes to students in grades five through eight pursuant to Education Code Section 44258.1. Core classes consist of teaching two or more subjects to the same group of students; ~~and~~
- (d) Teach any of the core subjects he or she is teaching to a single group of students in the same grade level as the core classes for less than fifty percent of his or her work day pursuant to Education Code Section 44258.1; and

(e) One of the following:

- (1) Individuals enrolled in a multiple subject teacher preparation program pursuant to Education Code Section 44259.5(a) on or before December 31, 2013 who remain continuously enrolled, as defined in Education Code Section 44252.1(b)(2), until program completion are authorized to provide instruction to limited-English proficient pupils as specified in Education Code Section 44253.3(a). The final initial issuance date for a preliminary Multiple Subject Teaching Credential with the English learner authorization specified in this subsection shall be December 31, 2016.
- (2) Individuals enrolled in a multiple subject teacher preparation program as specified in Education Code Section 44259.5(a) after December 31, 2013 are authorized to provide

instruction for English language development as defined in Education Code Section 44253.2(a) and specially designed content instruction delivered in English as defined in Education Code Section 44253.2(b) in the settings specified in subsections (a) through (d).

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(e), 44252.1, 44253.2(a), 44253.2(b), 44253.3(a), 44256(b), 44258.1, ~~and 44258.15,~~ and 44259.5(a), Education Code.

§ 80004. Single Subject Teaching Credential Authorization for Service.

- (a) The Single Subject Teaching Credential authorizes the holder to teach the subjectcontent area(s) listed on the document in grades twelve and below, including preschool, and in classes organized primarily for adults.
- (b) The holder of a Single Subject Teaching Credential in the following subjectcontent areas is authorized to teach health science:
- (1) Health Science,
 - (2) Life Science, and
 - (3) Physical Education if the document was initially issued prior to January 1, 1981.
- (c) The holder of a Single Subject Teaching Credential in Agriculture, Business, Home Economics, Industrial Arts, or Industrial and Technology Education is authorized to teach the subjectcontent area listed on the document in classes designated as career technical, trade, or vocational by the employing agency.
- (d) The holder of a Single Subject Teaching Credential in Foundational-Level General Science is authorized ~~is the holder~~ to teach the subject areas as described below in the following grade levels.
- (1) Grades twelve and below, including preschool, and in classes organized primarily for adults:
 - (A) Introductory and general science,
 - (B) Introductory life science, and
 - (C) Introductory physical science.
 - (2) Grades preschool, and kindergarten through eight:
 - (A) Integrated science.

(e) The holder of a Single Subject Teaching Credential in World Language: English Language Development is authorized to teach the subject area as described below at the grade and age levels specified in subsection (a):

(1) Departmentalized instruction in English language development including reading, writing, listening, and speaking as defined in Education Code section 44253.2(a);

(2) Specially designed content instruction delivered in English as defined in Education Code section 44253.2(b) within any content area(s) added to the credential or any additional credential(s) or subject area authorization(s) earned.

(f) The Single Subject Teaching Credential also authorizes the holder to provide one of the following:

(1) Individuals enrolled in a single subject teacher preparation program pursuant to Education Code Section 44259.5(a) on or before December 31, 2013 who remain continuously enrolled, as defined in Education Code Section 44252.1(b)(2), until program completion are authorized to provide instruction to limited-English proficient pupils as specified in Education Code Section 44253.3(a). The final initial issuance date for a preliminary Single Subject Teaching Credential with the English learner authorization specified in this subsection shall be December 31, 2016.

(2) Individuals enrolled in a single subject teacher preparation program as specified in Education Code Section 44259.5(a) after December 31, 2013 are authorized to provide instruction for English language development as defined in Education Code Section 44253.2(a) and specially designed content instruction delivered in English as defined in Education Code Section 44253.2(b) within the content area(s) listed on the document.

Note: Authority cited: Section 44225(e), Education Code. Reference: Sections 44225(e), 44252.1, 44253.2(a), 44253.2(b), 44253.3(a), and 44256; and 44259.5, Education Code.

§ 80048.6. Authorizations for Education Specialist Instruction Credentials and Special Education Added Authorization.

(a) The following definitions apply to authorizations for Education Specialist Instruction Credentials and Special Education Added Authorizations:

(1) “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.

- (2) “Developmental delay”: Student who needs special education and related services by experiencing a delay in one or more of the following: physical development, cognitive development, communication development, social or emotional development or adaptive development.
 - (3) “Hard-of-hearing or hearing loss includes unilateral or bilateral, whether fluctuating, conductive, sensorineural, and/or auditory neuropathy”: Hearing impairment or hearing loss, whether permanent or fluctuating, that adversely affects a child’s educational performance but that is not included under the definition of deafness but may include problems involving the cochlea, the sensory organ of hearing.
 - (4) “Educational Assessment”: Assessment of students in a comprehensive manner within the authorization of the teaching credential or added authorization using multiple sources of information and a variety of strategies that directly measure a student’s performance to meet goals in areas of grade-level academic curriculum and/or functional goals designed to meet the Individualized Education Program (IEP), Individualized Family Service Program, and/or Individualized Transition Plan goals and objectives regarding eligibility and services that directly result from the student’s disability according to state and federal accountability systems. The assessment process may include both formal and informal assessments to evaluate students’ educational instruction needs and strengths for the purpose of making accommodations, modifications, and instructional decisions.
 - (5) “Special Education Support”: Support includes participation in the IEP, Individualized Family Service Program, and/or Individualized Transition Plan process including planning and implementation of the student’s IEP, Individualized Family Service Program, and/or Individualized Transition Plan; providing consultative, collaborative, and coordinating specially designed instruction with students, parents, teachers, and other community and school personnel; planning, developing, and implementing instructional program plans relative to and within the authorization of the credential or added authorization. Special education support does not include providing language, speech and hearing therapy, orientation and mobility, or audiology services.
- (b) The following authorizations refer to the disabilities defined in Title 34 Code of Federal Regulations:
- (1) The Education Specialist Instruction Credential: Mild/Moderate Disabilities authorizes the holder to conduct Educational Assessments related to student’s access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of specific learning disabilities, mild/moderate ~~mental-retardation~~ intellectual disabilities, other health impairment, and emotional disturbance, in kindergarten, grades 1 - 12 through age 22, and classes organized primarily for adults in services across the continuum of program options available.

- (2) The Education Specialist Instruction Credential: Moderate/Severe Disabilities authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of autism, moderate/severe ~~mental-retardation~~ intellectual disabilities, deaf-blind, emotional disturbance, and multiple disabilities, to students in kindergarten, grades 1 - 12 through age 22, and classes organized primarily for adults in services across the continuum of program options available.
- (3) The Education Specialist Instruction Credential: Deaf and Hard-of-Hearing authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary or secondary disability of deaf or hard-of-hearing or deaf-blind, and services to students with a hearing loss that manifests itself in conjunction with additional disabilities including unilateral or bilateral, whether fluctuating, conductive, sensorineural, and/or auditory neuropathy, to students from birth through age 22, and classes organized primarily for adults in services across the continuum of program options available.
 - (A) Holders of Education Specialist Credentials in Deaf and Hard-of Hearing and previously issued credentials authorizing deaf and hard-of-hearing instructional services who were employed prior to July 1, 2010 to provide instructional services in American Sign Language (ASL) to general education students may continue to provide instructional services in the area of ASL. Effective July 1, 2010, no new special education credential holders may qualify using this provision.
- (4) The Education Specialist Instruction Credential: Physical and Health Impairments authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of orthopedic impairment, other health impairment, multiple disabilities, and traumatic brain injury, to students from birth through age 22, and classes organized primarily for adults in services across the continuum of program options available.
- (5) The Education Specialist Instruction Credential: Visual Impairments authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of visual impairment including blind and deaf-blind, to students from birth through age 22, and classes organized primarily for adults in services across the continuum of program options available.
- (6) The Education Specialist Instruction Credential: Early Childhood Special Education authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic

goals, and provide instructional and Special Education Support to students from birth through pre-kindergarten who are eligible for early intervention special education and related services, to individuals with a primary disability in specific learning disabilities, mild/moderate ~~mental retardation~~ intellectual disabilities, traumatic brain injury, other health impairment, autism, moderate/severe ~~mental retardation~~ intellectual disabilities, emotional disturbance, and multiple disabilities including developmental delay and a disabling medical condition in services across the continuum of program options available.

- (7) The Early Childhood Special Education Added Authorization authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals and provide instructional and special Education Support to students from birth through pre-kindergarten who are eligible for early intervention special education and support with a primary disability in specific learning disabilities, mild/moderate ~~mental retardation~~ intellectual disabilities, traumatic brain injury, other health impairment, autism, moderate/severe ~~mental retardation~~ intellectual disabilities, emotional disturbance, and multiple disabilities including developmental delay and a disabling medical condition, in services across the continuum of program options available.
- (8) The Education Specialist Instruction Credential: Language and Academic Development authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals as defined in subsections 300.8(c)(1) through (10), (12), and (13) and to students with expressive or receptive language disorders within subsection 300.8(c)(11) of Title 34 Code of Federal Regulations, Subpart A, 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, in preschool, kindergarten, in grades 1 - 12 through age 22, and classes organized primarily for adults in services across the continuum of program options available. The Education Specialist Instruction Credential: Language and Academic Development authorizes the holder to provide instructional services to students with academic communication and language needs but does not take the place of speech and language services as defined in Education Code sSection 56333.
- (9) Individuals enrolled in an education specialist teacher preparation program on or after January 1, 2010 who complete content in autism spectrum disorders are authorized to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of autism as defined in subsection 300.8(c)(1) of Title 34 Code of Federal Regulations, Subpart A, across the continuum of special education program options at the grade and age levels within the specialty area(s) of the education specialist credential held.

(10) An Education Specialist Instruction Credential also authorizes the holder to provide one of the following:

(A) Individuals ~~who complete~~ enrolled in an education specialist teacher preparation program that includes content for teaching English learners as described in Education Code ~~s~~Section 44259.5 on or before December 31, 2013; who remain continuously enrolled, as defined in Education Code Section 44252.1(b)(2), until program completion are authorized to provide instruction ~~for~~ to limited-English language development in grades twelve and below, including preschool, and in classes organized for adults; and specially designed academic instruction in English within the subject area and grade level authorization of the Education Specialist Credential proficient pupils as specified in Education Code Section 44253.3(a).

(i) The final initial issuance date for a preliminary Education Specialist credential pursuant to this subsection shall be December 31, 2016 for individuals enrolled in traditional, blended or integrated, and university intern programs.

(ii) The final initial issuance date for a preliminary Education Specialist credential pursuant to this subsection shall be December 31, 2017 for individuals enrolled in district intern programs.

(B) Individuals enrolled in an education specialist teacher preparation program that includes content for teaching English learners as described in Education Code Section 44259.5(a) after December 31, 2013 are authorized to provide instruction for English language development as defined in Education Code Section 44253.2(a) and specially designed content instruction delivered in English as defined in Education Code Section 44253.2(b) within the specialty area(s) and grade/age level authorization of the Education Specialist credential.

Note: Authority cited: Section 44225, Education Code. Reference: Sections 16191, 44252.1, 44253.2(a), 44253.2(b), 44259.5, 44265, 44265.5, 56031, 56360, 56361, 56365, and 56366, Education Code; 34 C.F.R. 300.8 (a), (b) and (c) and 300.39(a)(1)(i); and 20 USC 1401(3), (14), (15), (16), (29) and (30).