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## Information/Action

### *Certification Committee*

#### **Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Out-of-State Credentialed Teachers**

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**Executive Summary:** This agenda item provides proposed amendments to Title 5 sections 80413.3 and 80048.3.1 of the California Code of Regulations pertaining to out-of-state credentialed teachers.

**Recommended Action:** Staff recommends that the Commission approve the proposed amendments to the regulations pertaining to out-of-state credentialed teachers for the purpose of beginning the rulemaking file for submission to the Office of Administrative Law and to schedule a public hearing.

**Presenter:** Tammy A. Duggan, Consultant,  
Certification Division

#### **Strategic Plan Goal**

##### ***I. Educator Quality***

- c) 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.

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# Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Out-of-State Credentialed Teachers

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## Introduction

This agenda item provides proposed amendments to 5 California Code of Regulations (CCR) §§80413.3 and 80048.3.1 pertaining to out-of-state (OOS) credentialed teachers.

## Background

An agenda item that provided an overview of the requirements for OOS credentialed teachers seeking California certification was presented at the April 2016 Commission meeting (<http://www.ctc.ca.gov/commission/agendas/2016-04/2016-04-4A.pdf>). The item included five possible actions related to the requirements for OOS credentialed teachers for Commission consideration. Additional information and staff recommendations related to three of the five possible actions was requested by the Commissioners. This agenda item provides the requested additional information and staff recommendations, including possible regulatory amendments to 5 CCR §§80413.3 (general education) and 80048.3.1 (special education).

As detailed in the April 2016 agenda item, OOS credentialed teachers who provide official transcripts verifying conferral of a bachelor’s or higher degree from a regionally-accredited college or university, a photocopy of a professional-level teaching credential issued by another state, and fingerprint clearance are academically eligible for a five-year preliminary teaching credential in California. The renewal requirements teachers need to satisfy to qualify for the clear teaching credential are determined by whether or not verification of at least two years of out-of-state teaching experience and performance evaluations are submitted. Table 1 displays the requirements associated with the two routes available to OOS credentialed teachers.

**Table 1: Renewal Requirements by OOS Route**

Route	Minimum Requirements	Initial Credential Issued	Requirements for Clear Credential*
Less than 2 years OOS experience	Degree, OOS credential, fingerprint clearance	Five-year Preliminary	<ul style="list-style-type: none"> <li>• Basic Skills</li> <li>• Approved Induction Program</li> <li>• English Learner Authorization</li> </ul>
2 or more years OOS experience	Degree, OOS credential, fingerprint clearance + two years out-of-state teaching experience and performance evaluations	Five-year Preliminary	<ul style="list-style-type: none"> <li>• Basic Skills</li> <li>• Master’s degree or 150 clock hours under California Standards for the Teaching Profession</li> <li>• English learner authorization</li> </ul>

\* Subject-matter competence for Multiple and Single Subject credentials or completion of an equivalent preliminary program for Education Specialist credentials may also be required.

The possible regulatory amendments presented at the April 2016 Commission meeting for which additional information was requested, including staff recommendations, are provided below:

- 1) *Amend the definition of “professional-level teaching credential” to allow for issuance of a California preliminary credential on the basis of an out-of-state credential that lists passage of a subject-matter examination as a renewal requirement or provision.*

“Professional-level teaching credential” as related to OOS credentialed teachers is currently defined in the Title 5 regulations as an out-of-state credential that is, at a minimum, equivalent to a five-year preliminary teaching credential in California. Commission staff is aware of three states that issue teaching credentials to individuals who have completed a teacher preparation program, but have not yet satisfied the subject-matter competence requirement. Additional information for the three states follows:

**Arizona** issues a three-year Reciprocal Provisional Teaching Certificate to individuals who earned a bachelor’s or higher degree from a regionally-accredited institution, have fingerprint clearance in Arizona, and provide a photocopy of a valid, comparable OOS teaching certificate<sup>1</sup>.

**Georgia** issues Induction Certificates under Pathways 1 through 3 that require completion of a teacher preparation program in Georgia or another state and passage of content assessments at one of two levels: the induction level or the professional level<sup>2</sup>. Individuals issued an Induction Certificate on the basis of passing the content assessments at the induction level must achieve passing scores at the professional level to upgrade to a Georgia professional-level certificate. The passing induction level score may be as many as thirty points below the passing professional level score<sup>3</sup>.

**Nevada** issues a three-year Non-Renewable license to individuals who have certain coursework or testing deficiencies, but is otherwise qualified for licensure. Any deficiencies listed on the Non-Renewable license must be satisfied in order to upgrade to a standard or professional license. Non-Renewable licenses are not issued in core academic areas, identified in Nevada as elementary education, art, English, history, languages other than English, mathematics, music, and the sciences<sup>4</sup>.

A teacher who holds a Reciprocal Provisional Teaching Certificate in Arizona may qualify for California certification by providing a photocopy of the valid, comparable OOS teaching certificate used to qualify for Arizona certification. An individual with a Georgia Induction Certificate issued under Pathways 1, 2, or 3 may provide a photocopy of the content

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<sup>1</sup><http://www.azed.gov/educator-certification/files/2011/09/requirements-for-reciprocal-provisional-teaching-certificate.pdf?2015119>

<sup>2</sup> <http://www.gapsc.com/Certification/TieredCertification/induction.aspx>

<sup>3</sup> <http://gace.ets.org/scores/understand>

<sup>4</sup> [http://www.doe.nv.gov/Educator\\_Licensure/Apply\\_for\\_License\\_Endorsement/](http://www.doe.nv.gov/Educator_Licensure/Apply_for_License_Endorsement/)

assessment score report verifying passage at the professional level to qualify for California certification. The subject areas in which Nevada issues three-year Non-Renewable licenses are limited and the risks of issuing a five-year preliminary teaching credential in California to a teacher who has not yet verified his/her subject-matter competence outweigh the benefits.

To ensure California public school students are provided instruction by teachers who have verified their subject-matter competence, staff does not recommend that the Commission pursue regulatory amendments to the definition of “professional-level teaching credential” at this time.

- 2) *Expand the definition of “public or regionally-accredited private school” as related to the “full-time teaching experience” requirement to include one or more private school accrediting organizations.*

The U.S. Department of Education *State Regulations of Private and Home Schools* interactive map<sup>5</sup> provides the private school accreditation, registration, licensing, and approval requirements for each state. According to the interactive map, accreditation of private schools in every state is either “optional” or there are “no requirements.” Certification rules for teachers in each state varies, but the overwhelming majority of states do not require private school teachers to hold state teacher certification.

Preliminary research into private school accreditation by Commission staff found that there are many different types of private school accrediting agencies and each has its own standards for accreditation. Some private school accrediting agencies are only statewide or are affiliated with a specific religion. Others are umbrella organizations to which private schools accredited by a statewide or religious organization may apply for membership. A nationwide private school accrediting agency with standards comparable to the regional-accrediting agencies could not be identified during the preliminary research.

An OOS credentialed teacher who meets the minimum requirements for certification and has OOS teaching experience from a non-regionally accredited private school is not denied California certification; the teacher may still be issued a five-year preliminary teaching credential under the route for individuals with less than two years of OOS teaching experience. As shown in Table 1, the only difference between the two available routes is that teachers who qualify by the non-experience route are required to complete an approved induction program and those who qualify by the experience route are required to earn a master’s degree or complete 150 clock hours under the California Standards for the Teaching Profession. All other requirements for the clear credential are the same for the two routes.

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<sup>5</sup> <http://www2.ed.gov/about/offices/list/oii/nonpublic/regulation-map.html>

Education Code §44279.25(f) and Precondition 6 of the *General Education Induction Program Preconditions and Program Standards*<sup>6</sup> adopted by the Commission in December 2015 provide for an induction program early completion option. Precondition 6 reads: ‘An induction program sponsor must make available and must advise participants of an Early Completion option for “experienced and exceptional” candidates who meet the program’s established criteria.’ The induction program early completion option may be a viable route for OOS teachers who cannot verify two years of OOS teaching experience at a public or regionally-accredited private school. In addition, the support and mentoring provided by an induction program may be beneficial to a teacher transitioning to California’s schools from an out-of-state private school that is not regionally-accredited.

According to the U.S. Department of Education website, “...the Secretary of Education is required by law to publish a list of nationally recognized accrediting agencies that the Secretary determines to be reliable authorities as to the quality of education or training provided by the institutions of higher education and the higher education programs they accredit”<sup>7</sup>. Each of the recognized regional accrediting agencies also accredit K-12 schools.

At this time, staff does not recommend that the Commission expand the definition of “public or regionally-accredited private school” as related to the “full-time teaching experience” requirement to include one or more private school accrediting organizations. This staff recommendation is made due to the lack of an identifiable agency that is comparable to a recognized regional-accrediting agency and the availability of the induction program early completion option. Additionally, extensive research of the private school accrediting agencies will be required if the Commission wishes to further pursue this option. The additional research will compare the standards of the private school accrediting agencies to the standards of the regional-accrediting agencies in an attempt to identify one or more agencies that ensure the same quality of education.

- 3) *Reduce the number of hours per day in the definition of “full-time teaching experience.”* The current regulatory definition of “full-time teaching experience” in subsection (c)(2) of 5 CCR §80413.3 for general education teachers and in subsection (c)(1) of 5 CCR §80048.3.1 for special education teachers is:

*Full-Time Teaching Experience: This is defined as teaching a minimum of 4 hours a day, unless the minimum statutory attendance requirement for the students served is less. Experience must be on a daily basis and for at least 75% of the school year. Experience may be accrued in increments of a minimum of one semester. No part-time or combination of teaching with other school employment will be accepted. All experience must be gained in public or regionally accredited private schools in states or U.S. territories other than California while serving on a valid teaching credential. Experience may be gained in more than one state or*

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<sup>6</sup> <http://www.ctc.ca.gov/educator-prep/standards/GEEd-preconditions-program-stds-12-2015.pdf>

<sup>7</sup> <http://ope.ed.gov/accreditation/>

*U.S. territory other than California. This experience must be verified on the official letterhead of the out-of-state employer or employers by the superintendent, assistant superintendent, director of personnel, or director of human resources in which the teacher was employed. Experience from outside of the United States will not be considered.*

The barriers for OOS credentialed teachers attempting to qualify by the experience route are the number of hours required per day and that fact that employment must be for 75% of the days in a school year. For example, an OOS teacher who teaches only three days a week for seven hours each day would not have the required number of days to be considered “full-time.” Or, an OOS teacher who teaches five days per week for only two hours per day would not have the required hours per day.

The current hours per day and days per year requirements in the regulatory definition were included to prevent teachers from using substitute teaching experience or multiple temporary teaching positions that last less than one semester. Teachers who qualify by the experience route are not required to complete an induction program in California; therefore, it is important to verify OOS teachers have teaching experience that is sufficient in duration and satisfactory in performance to ensure their success in California classrooms without the support of the induction program.

Assuming a typical California school year is 36 weeks or 180 instructional days:

- 75% of a school year = 135 days
- Four hours per day for 75% of a school year = 540 hours

The following options for possible regulatory amendments (displayed in bold text) to the first part of the definition of “full-time teaching experience” are based on the assumptions above.

#### **Option A**

This option maintains the current number of teaching hours and duration of teaching assignment in the current regulatory definition, but will allow teachers who do not teach more than three days per week to qualify by the experience route:

*Full-Time Teaching Experience: **This is defined as teaching a minimum of 20 hours a week for 27 weeks per school year.** Experience may be accrued in increments of a minimum of one semester. No part-time or combination of teaching with other school employment will be accepted.*

#### **Option B**

This option maintains the current regulatory language and adds additional language to clarify how part-time experience may be used toward satisfying the experience requirement:

*Full-Time Teaching Experience: **This is defined as teaching a minimum of 4 hours a day, unless the minimum statutory attendance requirement for the students served is less.** Experience*

*must be on a daily basis and for at least 75% of the school year. Experience may be accrued in increments of a minimum of one semester. **Part-time teaching experience for a minimum of 2 hours per day for 75% of a school shall be considered equivalent to one semester of full-time teaching experience.***

### **Option C**

This option provides a flat-rate number of hours per year to be considered “full-time.” However, teachers employed 7 hours per day will be able to satisfy the flat-rate number of hours in just a little over 15 weeks, which is less than ½ the number of weeks in a typical school year.

*Full-Time Teaching Experience: **This is defined as teaching a minimum of 540 hours per year. Experience may be accrued in increments of a minimum of one semester and 270 hours per semester shall be considered one-half year of full-time experience. No part-time or combination of teaching with other school employment will be accepted.***

As explained on page 4 of this item, staff does not recommend modifying the regional accreditation requirement at this time so staff recommends that the last section of the regulations not be amended.

*All experience must be gained in public or regionally accredited private schools in states or U.S. territories other than California while serving on a valid teaching credential. Experience may be gained in more than one state or U.S. territory other than California. This experience must be verified on the official letterhead of the out-of-state employer or employers by the superintendent, assistant superintendent, director of personnel, or director of human resources in which the teacher was employed. Experience from outside of the United States will not be considered.*

### **Staff Recommendation**

Staff recommends that the Commission select one of the options for proposed amendments to the definition of full-time teaching experience in 5 CCR §§800413.3(c)(2) and 80048.3.1(c)(1) as related to OOS credentialed teachers for the purpose of beginning the rulemaking file for submission to the Office of Administrative Law and to schedule a public hearing.

### **Next Steps**

Staff will implement action from the Commission as directed.