

CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

Box 944270 (1900 Capitol Avenue)
Sacramento, California 94244-2700
(916) 445-7254 or (888) 921-2682
www.ctc.ca.gov
credentials@ctc.ca.gov



OFFICE OF THE EXECUTIVE DIRECTOR

DATE: September 12, 2003 03-0022

TO: All Individuals and Groups Interested in the Activities of the Commission on Teacher Credentialing

FROM: Sam W. Swofford, Ed.D.
Executive Director

SUBJECT: Proposed Deletion of Sections 80032.2, 80058.2, 80466 and 80523.3 of Title 5 of the California Code of Regulations, Pertaining to Special Education Coursework for the Clear Teaching Credential, Continuance and Extension of Service, Teaching Experience in Lieu of Professional Preparation and Administrative Services Experience

Notice of Public Hearing is Hereby Given:

In accordance with Commission policy, proposed Title 5 Regulations are being distributed prior to the public hearing. A copy of the proposed regulations is attached. The added text is underlined, while the ~~deleted~~ text is lined-through. The public hearing is scheduled on:

November 6, 2003
10:00 am
California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, California 95814

Statement of Reasons

Commission on Teacher Credentialing staff reviewed the current sections of Title 5 of the California Code of Regulations that pertained to the Commission for relevancy. Four sections were found to be obsolete and a public hearing is being held to delete these sections.

Proposed Changes to Title 5 Regulations

Section 80032.2 Special Education Coursework for the Clear Teaching Credential

This section outlined the specific elements required for special education training for teachers and administrators. This section became effective on November 6, 1978. Senate Bill 2042 (Statutes of 1998, Chapter 548, Alpert-Mazzoni) changed the special education training in Education Code Section 44259 to be a requirement in both the preliminary and professional clear credentials and became a part of the standards approved by the Commission implementing SB 2042. The special education requirement has changed and is now included in the teacher preparation program standards.

Section 80058.2 Continuance and Extension of Service

This section of Title 5 became effective on November 29, 1978. The Education Code reference for this section is 44344. This section of the Education Code refers to the transition from the Standard credentials to the Ryan credentials. Consequently this section of Title 5 is obsolete. School districts continue to use the provisions of this section, which now are in conflict with AB 2859 (Statutes of 2002, Chapter 1069, Aroner), which requires all certificated staff to hold a credential issued by the Commission on Teacher Credentialing. If an audit finds that a teacher is serving without a credential both the school district and the county office of education are subject to a fine. AB 2859 does not allow a lapse in a credential as provided for in this section.

Section 80466 Teaching Experience in Lieu of Professional Preparation

AB 877 (Statutes of 2000, Chapter 703, Scott) required that the Commission review standards from other states and determine if they are equivalent to the ones established by the Commission. The Commission has approved 37 states as equivalent states. If an individual completes a program in a state that has been determined to be equivalent, the Commission accepts that program even if student teaching was met through experience. Rather than the Commission staff determine if three years teacher experience is equal to student teaching, Commission staff now relies solely upon the credentialing requirements from other states, consequently this section is no longer necessary

Section 80523.3 Administrative Services Experience

Commission staff no longer uses this section of Title 5. Institutions of higher education that offer Commission-accredited administrative services preparation programs now have the authority to determine whether experience is administrative in nature, rather than the Commission staff, consequently this section is no longer necessary.

Reports Relied Upon in Preparing Regulations

The Commission did not rely upon any technical, theoretical or empirical studies, reports or documents in proposing the adoption of these regulations amendments.

Documents Incorporated by Reference

None

Office of Administrative Law's Identification Number

The Office of Administrative Law's identification number for this proposal is Z-03-0905-03.

Written Comment Period and Submission of Written Comments

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail on the proposed action. The written comment period closes at 5:00 p.m. on November 4, 2003. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 327-3166; write to the California Commission on Teacher Credentialing, attention Dale Janssen, 1900 Capitol Avenue, Sacramento, CA 95814; or submit an e-mail at djanssen@ctc.ca.gov.

Any written comments received 21 days prior to the public hearing will be reproduced by the Commission's staff for each Commissioner as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

Public Hearing

Oral comments on the proposed action will be taken at the public hearing. We would appreciate 14 days advance notice in order to schedule sufficient time on the agenda for all speakers. Please contact Dale Janssen at (916) 323-5065 regarding this.

Any person wishing to submit written comments at the public hearing may do so. It is requested, but not required, that persons submitting such comments provide fifty copies to be distributed to the Commissioners and interested members of the public. All written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

Modification of Proposed Action(s)

If the Commission proposes to modify the action(s) hereby proposed, the modifications (other than non-substantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

Availability of Final Statement of Reasons

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rulemaking package, after the public hearing. When it is available, it will be placed on the Commission's web site at <http://www.ctc.ca.gov> or you may obtain a copy by contacting Dale Janssen at (916) 323-5065.

Contact Person/Further Information

General or substantive inquiries concerning the proposed action may be directed to Dale Janssen at (916) 323-5065 or Dale Janssen, Commission on Teacher Credentialing, 1900

Capitol Ave. Sacramento, CA 95814. General question inquiries may also be directed to Debra Moss at (916) 322-4974 or at the address mentioned in the previous sentence. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. Also available upon request is a copy of the documents incorporated by reference. This information is also available on the Commission's web site at <<http://www.ctc.ca.gov>>. In addition, all the information on which this proposal is based is available for inspection and copying.

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

~~§80032.2. Special Education Training for Teachers and Administrators.~~

~~(a) The Special Education training requirement specified in Section 67.5 of Chapter 1247 of the Statutes of 1977 shall be required of each applicant for a clear Multiple or Single Subject teaching credential or an Administrative Services credential issued in accordance with the provisions of Section 44259 of the Education Code. This requirement may be satisfied by a course of study, which may be offered or accepted by an approved college or university. The college or university recommending the applicant for a clear Multiple or Single Subject teaching credential or Administrative Services credential shall submit a plan for Commission approval indicating how this requirement will be met. Each plan submitted to the Commission shall include but not be limited to the following:~~

- ~~(1) A description of the program elements which lead to the demonstration of the knowledge and skills as provided herein;~~
- ~~2) A description of how such program elements relate to each specified knowledge and skill area for each credential;~~
- ~~(3) A description of the specific program options available to each candidate for acquiring the knowledge and skills;~~
- ~~(4) Provisions for giving credit or establishing equivalency toward completion of this requirement in the form of in-service training, work taken for credit at other institutions, including out of state institutions, or a combination of these or other options.~~

~~(b) After July 1, 1979 no institutional recommendation shall be issued for the clear Multiple or Single Subject teaching credential unless the recommending institution has presented evidence that the candidate has completed a program preparing the individual to:~~

- ~~(1) Recognize children's academic strengths and weaknesses, perceptual characteristics, and preferred learning modalities (i.e., auditory, visual, kinesthetic) through formal and informal assessment procedures appropriate for classroom teachers to administer;~~
- ~~(2) Be able to assess the characteristics and behavior of exceptional pupils in terms of program and developmental needs;~~
- ~~(3) Recognize the differences and similarities of exceptional and non-exceptional pupils;~~
- ~~(4) Analyze non-discriminatory assessment including a sensitivity to cultural and linguistic factors;~~
- ~~(5) Produce and evaluate short and long term educational objectives for regular classroom aspects of the Individualized Education Program goals;~~

- ~~(6) Utilize various diagnostic/prescriptive materials and procedures in reading, language arts, math, and perceptual-motor development, when appropriate;~~
- ~~(7) Apply diagnostic information toward the modification of traditional school curriculum and materials for selected children;~~
- ~~(8) Identify and teach non-academic areas, i.e., socialization skills, career and vocational education;~~
- ~~(9) Promote pupil growth in the affective domain and in inter-personal relationships;~~
- ~~(10) Be able to communicate appropriate information in a positive manner to other professionals and to parents;~~
- ~~11) Understand current legislation dealing with Special Education, including the concept of least restrictive environment, and due process for parents and teachers.~~
- ~~(e) After July 1, 1979 no institutional recommendation shall be issued for the Administrative Services credential unless the recommending institution has presented evidence, consistent with its approved plan, that the candidate has completed a program preparing the individual to:~~
 - ~~(1) Be able to assess the characteristics and behavior of exceptional pupils in terms of program and developmental needs;~~
 - ~~(2) Recognize the differences and similarities of exceptional and non-exceptional pupils;~~
 - ~~(3) Analyze non-discriminatory assessment including a sensitivity to cultural and linguistic factors;~~
 - ~~(4) Discuss interpersonal relationships and human relations problems and issues with students and parents;~~
 - ~~(5) Communicate information in a positive manner to teachers and parents;~~
 - ~~(6) Evaluate the concept of least restrictive environments and its implications for the instructional process;~~
 - ~~(7) Define and explain the admission, review, and dismissal processes of Special Education legislation;~~
 - ~~(8) Formulate and illustrate an Individualized Educational Program in consultation with the appropriate support personnel and parents for individuals with exceptional needs;~~
 - ~~(9) Identify and select alternative instructional programs;~~
 - ~~(10) Contrast and explain individual projections of Special Education legislation as they pertain to parents, teachers and students;~~
 - ~~(11) Apply diagnostic information toward the modification of traditional school curriculum and materials for selected children.~~

NOTE

~~Authority cited: Section 44225(b), Education Code. Reference: Sections 44225 and 44259, Education Code.~~

HISTORY

- ~~1. New section filed 11-6-78; effective thirtieth day thereafter (Register 78, No. 45).~~

~~§80058.2. Continuance and Extension of Service.~~

~~(a) The employing school officials, upon request to county school officials, may receive continuance to the end of a school year of a candidate's preliminary credential which lapses (expires) April 1 or thereafter of a school year. Such continuance is authorization for payment of salaries for service rendered on the lapsed credential.~~

~~(b) The employing school official, upon request to the county school officials, may receive continuance of the 30-day emergency substitute teaching credential to the end of the school year if the 30-day authorization is fulfilled after May 15 of a school year.~~

~~NOTE~~

~~Authority cited: Section 44225(b), Education Code. Reference: Section 44344, Education Code.~~

~~HISTORY~~

~~1. New section filed 11-29-78; effective thirtieth day thereafter (Register 78, No. 48).~~

~~§80466. Teaching Experience in Lieu of Professional Preparation.~~

~~An applicant who has not completed a program of professional preparation in accordance with Section 80472 or 80056 may offer three years of successful full-time teaching experience, all of which has been completed within ten years prior to the date of application. All such teaching experience shall have been acquired in grades one through twelve in public schools or private schools of equivalent status, verified by appropriate administrative officials in the school district or districts where the experience was acquired. The teaching experience shall have been accomplished on a full professional certificate based upon a baccalaureate or higher degree of the state in which the experience was acquired. If a certificate was not required, the applicant shall verify eligibility for such certification at the time. The experience shall be verified on a form prescribed by the Commission, and shall be considered a part of the application. The applicant shall meet all other credential requirements.~~

~~NOTE~~

~~Authority cited: Section 44225, Education Code. Reference: Sections 44320 and 44321, Education Code.~~

~~§80523.3. Administrative Services Experience.~~

~~The Commission shall waive the requirement of Education Code Section 44270.1(a)(2), concerning the administrative experience required for the professional Administrative Services credential, if the applicant verifies all of the following:~~

~~(a) The preliminary Administrative Services credential was held during the time that the service was performed;~~

~~(b) The two years of full-time duties completed were equivalent in nature to administrative duties. A letter from the employing school district or county must verify the assignment and shall include a complete description of the duties and length of time the applicant has been employed, and shall include a thorough explanation as to why the school district or county does not identify the position as one which requires an Administrative Services credential;~~

~~(c) The Coordinator or Director of the Administrative Services credential program at the IHE in which the applicant is enrolled, verifies that the experience is equivalent to that authorized under the professional Administrative Services credential; and~~

~~(d) The Commission staff confirms that the position would be considered administrative for purposes of assignment monitoring, including such positions as principal, assistant principal, dean, coordinator or director of programs, but not including positions such as resource teacher or curriculum consultant.~~

~~NOTE~~

~~Authority cited: Section 44225, Education Code. Reference: Sections 44225(m) and 44270.1(a)(2), Education Code.~~

~~HISTORY~~

~~1. New section filed 5-24-93; operative 6-23-93 (Register 93, No. 22).~~

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Attn.: Dale Janssen
CAW Division

Title: Special Education Coursework for the
Clear Teaching Credential, Continuance
and Extension of Service, Teaching
Experience in Lieu of Professional
Preparation and Administrative Services
Experience
Section Nos.: 80032.2, 80058.2, 80466 and
80523.2

Response to the Attached Title 5 Regulations

So that the Commission on Teacher Credentialing can more clearly estimate the general field response to the attached Title 5 regulations, please return this response form to the Commission, attention Dale Janssen, at the above address or fax to his attention at (916) 322-0048. Respond by 5:00 pm on November 4, 2003 in order that the material can be presented at the November 6, 2003 public hearing.

1. **Yes**, I agree with the proposed Title 5 regulations. Please count me in favor of these regulations.
2. **No**, I do not agree with the proposed Title 5 Regulations for the following reasons: (If additional _____ space is needed, use the reverse side of this sheet.)
3. Personal opinion of the undersigned. and/or
4. Organizational opinion representing: _____
(Circle One) School District, County Schools, College, University, Professional Organization, Other
5. I shall be at the public hearing, place my name on the list for making a presentation to the Commission.
6. No, I will not make a presentation to the Commission at the public hearing.

Signature: _____ Date: _____

Printed Name: _____

Title: _____ Phone: _____

Employer/Organization: _____

Mailing Address: _____

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