

COMMISSION ON TEACHER CREDENTIALING

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March 18, 1985

84-8415

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

FROM: John F. Brown, Executive Secretary

SUBJECT: Proposed California Administrative Code, Title 5, Sections
80061, 80061.1, and 80061.2: Standards for Teaching in A
Special Center and For the Issuance of Credentials and Permits
For Persons Employed in Special Centers*

In accordance with Commission policy and administrative regulations, the above cited Title 5 Regulations are distributed prior to public hearing. The public hearing to adopt these regulations is scheduled as follows:

May 2, 1985
1:00 p.m.
Clarion Hotel
16th and H Streets
Sacramento, California

BACKGROUND:

This is the third time around for Title 5 Regulations that specify requirements for those who teach in Special Centers (formerly called Development Centers for the Handicapped). The original proposed regulations were developed in 1982, heard by the Commission at a continuing public hearing at the February, March and April 1983 meetings. Following approval by the Commission on Teacher Credentialing at the April 1983 meeting, the regulations were accepted by the State Board of Education at their June 1983 meeting and sent to the Office of Administrative Law in August. The Office of Administrative Law disapproved the regulations in October 1983 on the basis of four concerns, the major one being that the proposed regulations did not treat all permit holders with equity. The regulations were revised and returned to the Commission at the April 1984 meeting. Following approval of the amended proposed regulations at the Commission's April 1984 meeting, the regulations were submitted to the State Board for action at the June 1984 meeting. The State Board stayed the regulations mainly because requirements for the renewal of the special center permit were not specified. The Commission on Teacher Credentialing staff have been working with staff of the State Department of Education during the past six months to amend the regulations. Following conversations between members of the staff of the Office of Administrative Law (OAL) and the Commission staff, it seemed prudent to begin the promulgation process for these proposed regulations from the beginning. Therefore, we have set a public hearing for May 2, 1985.

*Notice of the May 2, 1985 Public Hearing on these proposed Title 5 Regulations was included in the March 8, 1985 publication of the California Administrative Notice Register.

Existing law, Education Code Section 56364.5 gives the Commission on Teacher Credentialing the authority to establish standards for the issuance of credentials or permits for persons employed in Special Centers pursuant to Education Code Section 56364.

Prior to the enactment of the current law, Education Code Section 56820, operative April 30, 1977, gave the State Superintendent of Public Instruction the authority to establish standards for the issuance of permits for persons to be employed in centers established under Chapter 6, Statutes of 1976, operative April 30, 1977. Pursuant to that Education Code the State Board of Education adopted California Administrative Code Section 3113, operative September 22, 1979. The Commission on Teacher Credentialing has issued permits in accordance with the standards specified in those regulations. These standards authorized the issuance of various permits based on levels of academic training and experience. A Provisional Permit required 30 semester units of college course work and verification of employment.

A Clear Permit required at least 60 semester units of college course work including eight semester hours in courses related to the authorization. A Permit with Postponement of Requirements would be issued if the applicant had at least 60 semester units of college courses but did not have eight semester units in courses related to the permit. The Life Permit would be issued with verification of one year of experience while holding the Clear Permit. The Title 5 regulations that authorized the above permits were repealed when the State Department adopted the regulation implementing AB 1870, Statutes of 1979.

THE PROPOSED REGULATIONS WOULD DO THE FOLLOWING:

- Limit the initial assignment of personnel to Special Centers to those individuals who hold the Severely Handicapped Special Education Specialist credential, the Restricted Severely Handicapped credential, the Life Development Center Instruction permit, the Special Center permit, or other Special Education credential that, under previous laws and regulations, authorized teaching in Special Centers (formerly called Development Centers for the Handicapped);
- Establish the Special Center permit as a replacement for the "old" Development Center Instruction permit; and to limit the issuance of the Special Center permit to individuals who have a valid Development Center Instruction permit and who have taught for at least two years full-time in a Special Center;
- Establish the Restricted Severely Handicapped credential and limit the issuance of this credential to individuals who have a valid Development Center Instruction permit (or Special Center permit), who have taught for at least three years in a Special Center and who have completed a Commission-approved program for the Severely Handicapped credential;
- Establish renewal requirements for both the Special Center permit and for the Restricted Severely Handicapped credential.

PURPOSE AND FACTUAL BASIS FOR THE PROPOSED REGULATIONS:Subsection 80061(a)

- (a) Purpose: The purpose of this subsection is to clarify who can be initially assigned to teach in special centers; to limit such assignment to those with credentials appropriate for teaching the severely handicapped and to those with a life Development Center permit or a Special Center permit who have previously taught in a special center (previously called Development Centers for the Handicapped).
- (b) Factual Basis: In the studies and discussions completed during the development of these regulations, a general agreement emerged on the following three points:
- (1) The standards for persons employed in special centers should be raised;
 - (2) In establishing new standards, provisions should be made for permit teachers who have served competently for many years to qualify to continue to serve as teachers with provisions for continuing education requirements; and
 - (3) Permits to work in special centers should not be issued to anyone who has not previously held a permit authorizing teaching in a special center (formerly called Development Centers for the Handicapped) i.e., DO NOT increase the population of permit holders.

Subsection 80061(b)

- (a) Purpose: The purposes of this subsection are to make clear that holders of the "old" Development Center Instruction permit may continue to teach in a special center until their permit expires; and to clarify the requirements for the transition from the "old" to the "new" permit as a condition of continued employment.
- (b) Factual Base: Holders of the "old" Development Center Instruction permit were issued the permit on the basis of a complete application, fee, and completion of requirements. Such holders have every right to utilize the permit up to the date of expiration. This is a commonly accepted practice in any transition from "old" to "new" license.

Subsection 80061.1(a)

- (a) Purpose: Special centers started about 15 years ago basically as child care centers to provide a center for the placement of severely handicapped children to give respite to parents. These centers proved popular and support was mobilized to increase the scope of the services to be provided to these students. These centers then evolved into educational centers to serve the educational needs of severely handicapped students from a region, county or several school districts. Because of the nature of the evolution, organization and goals of special centers, the requirements for serving in these centers varied from center to center.

The recent thrust of the last years has been to require the Severely Handicapped Special Education Specialist for initial employment in special centers.

One of the concerns of individuals who serve in special centers with a permit, is that they have received a great deal of staff development training and experience to deal with the special needs of the severely handicapped. These people have experience and training that has prepared them to work in special centers.

The intent of this new credential is to allow these trained and experienced persons to complete the proposed requirements for the new credential that provides reasonable assurance that candidates possess essential skills, knowledge and experience to work in special centers. The only difference between this new credential and the established Severely Handicapped Special Education Specialist credential is that the new credential would not require the possession of a basic teaching credential for receipt of it. To require this additional credential of these candidates in light of their background and experience would, in the opinion of many, be excessive.

(b) Factual Basis: For Subsections (a)(1) through (a)(5)

- Possession of a BA from an accredited college -

Candidates who instruct in a special center should possess the basic general education background required of other credential holders. Entry to and/or exit from a program for the Severely Handicapped credential requires a baccalaureate degree.

- Possession of a Special Center permit or other permit or credential which authorizes service in a special center -

The Restricted Severely Handicapped credential is limited to holders of such permits. There was support for this credential as a viable career ladder objective but there was no support for opening this credential to other than permit holders.

- Three years of successful employment in a special center -

The factual basis for the three years is that this credential is only available to holders of permits which authorize service in special centers, that most of the 220 holders of such permits have been serving in special centers from 2 to 20 years, that the three years of successful employment constitutes a realistic internship or residency for the Restricted Severely Handicapped credential.

- Completion of the Professional Preparation Program of Severely Handicapped Special Education Specialist Programs would assure that candidates are adequately trained in the latest techniques and methodologies of working with the severely handicapped children.

- Verification of passage of the CBEST -

This is a statutory requirement.

Subsection 80061.1(b)

- (a) Purpose: The purpose of this subsection is to specify the period of validity of the credential as five years (similar to other Ryan credentials) and to specify the requirements for the renewal of the Restricted Severely Handicapped credential.
- (b) Factual Basis: Historically, special centers derived from Development Centers for the Handicapped (DCH). Students placed in DCH's were typically the most severely/profoundly disabled. Expectations were low and curriculum consisted primarily of maintenance skill training; eating, toileting, various physical therapies. Professional opinion stated that since these students had few skills, credentialed teachers were not needed; what was needed were individuals who could assist in maintenance activities.

In the last ten years, advances in educational technology have significantly raised the expectations of what is possible for students with severe/profound disabilities to achieve. It is not unreasonable to expect that these students can participate in an integrated, heterogenous society, be employed, and become contributing members in the adult world. With the change in our knowledge of what these students can achieve has come a change in the amount of training required by those who teach them. It is most important that those who work in special centers continue to grow professionally.

In addition, the Legislature has recognized (SB 813 - 1983 statutes) that effective professional growth must continue to occur throughout the careers of all teachers, in order that teachers remain informed of changes in subject matter and student needs. The Legislature has established professional growth requirements that give individual teachers a range of options as well as a role in determining the course of their professional growth.

Subsection 80061.1(c)

- (a) Purpose: The purposes of this subsection are to clarify the authorization of the Restricted Severely Handicapped credential and to make clear that the authorization is for special centers and not special classes.
- (b) Factual Basis: Teaching in special classes is limited by statutes and regulations to holders of special education credentials. Holders of permits who earn the Restricted Severely Handicapped credential are prepared, by experience and education, to serve pupils in special centers. The need to limit (restrict) this credential to service in special centers was made repeatedly at the public hearings of February, March and April 1983.

Subsection 80061.2(a)

- (a) Purpose: The purposes of this subsection are to clarify the requirements for the Special Center permit and to limit the issuance of this permit to those individuals who hold a valid "old" Development Center Instruction permit and have served on that permit for a minimum of two full years.

(b) Factual Basis: Subsections 80061.2(a)(1) and (a)(2) will assure that the population of current permit holders will not be expanded and will also not penalize permit holders who are currently employed. The major thrust of these proposed regulations is to upgrade the competencies of those providing services to students in special centers. Continuous employment, with its opportunities for professional growth, on-the-job training, and daily experience in working with students, is one way to maintain and improve the skills of permit holders. Individuals who have not recently worked in a special center, who have been removed from the experience of working with students, who are out of touch with recent developments in the field, are not appropriate to deliver services to this population of students.

- Subsection 80061.2(a)(3) continues the same number of semester units and course work as included in previous regulations. The population of permit holders is finite (about 220 total in the state). Some of them have earned the life Development Center permit and most of the remaining have earned the clear Development Center permit. The intent of this subsection is to allow for the transition from the "old" permit to the "new" permit, if the requirements of 80061.2(a)(1) and (a)(2) have also been met.
- Subsection 80061.2(a)(3) also includes a statement regarding appeal rights. This section is necessary for those very infrequent cases in which the transition from "old" to "new" regulations adversely affects an individual who has a justifiable reason for not quite meeting the new regulatory requirements.

Subsection 80061.2(b)

(a) Purpose: The purpose of this subsection is to specify the requirements for the renewal of the Special Center Permit.

(b) Factual Basis:

- Historically, special centers derived from Development Centers for the Handicapped (DCH). Students placed in DCH's were typically the most severely/profoundly disabled. Expectations were low and curriculum consisted primarily of maintenance skill training; eating, toileting, various physical therapies. Professional opinion stated that since these students had few skills, credentialed teachers were not needed; what was needed were individuals who could assist in maintenance activities.
- In the last ten years, advances in educational technology have significantly raised the expectations of what is possible for students with severe/profound disabilities to achieve. It is not unreasonable to expect that these students can participate in an integrated, heterogeneous society, be employed, and become contributing members of the adult world. With the change in our knowledge of what these students can achieve has come a change in the amount of training required by

those who teach them. It is imperative that those who have not recently completed credential programs engage in an active program of professional growth to upgrade their skills.

- In addition, the Legislature has recognized (SB 813 - 1983 statutes) that effective professional growth must continue to occur throughout the careers of all teachers, in order that teachers remain informed of changes in subject matter and student needs. The Legislature has established professional growth requirements that give individual teachers a range of options as well as a role in determining the course of their professional growth.

Subsections 80061.2(c) and (d) specify the period of validity and the authorization of the clear Special Center permit. The factual basis for these subsections is basically the same as that stated for the period of validity and authorization of the Restricted Severely Handicapped credential.

Please feel free to duplicate and distribute the attached proposed regulations to anyone you believe might be interested in responding. If you wish to make a presentation regarding the above to the Commission, please bring thirty copies of your material for distribution to the Commissioners and staff. If you provide this statement to the Commission office by April 30, 1985, sufficient copies of the material will be duplicated and distributed for Commission and staff use. We would also appreciate a call to the Commission office if you plan to make a presentation in order to schedule sufficient time on the agenda for people who wish to address the Commission. If you do not want to make a presentation or submit a statement regarding this proposed regulation, you can reply on the response form found on the last page.

80061. Requirements for Teaching in Special Centers

- (a) Initial assignment to teach in a special center shall require at least one of the following: a Special Education Specialist Instruction Credential authorizing the teaching of the Severely Handicapped, the Restricted Severely Handicapped Credential, the Life Development Center Instruction Permit, the Special Center Permit, or any other special education credential that, under previous laws and regulations, authorized teaching in programs for children who are severely handicapped as defined in Education Code Section 56030.5.
- (b) Holders of a Development Center Instruction Permit may continue to serve in a Special Center, as defined in Education Code Section 56364, until their permits expire. Development Center Permits are not renewable and holders of this permit will, upon the expiration date of the permit, be required to apply for and to hold the Special Center Permit pursuant to Section 80061.2; in order to continue to teach in a special center.

Authority: Education Code Section 44225(b).

Reference: Education Code Sections 56364, 56364.5, 44265, 44256(c).

80061.1 Requirements for the Restricted Severely Handicapped Credential

- (a) The requirements for the Restricted Severely Handicapped Credential shall include all of the following:
- (1) A baccalaureate or higher degree from an accredited institution;
 - (2) Possession of a Special Center Permit or other permit or credential which authorizes service in a Special Center;
 - (3) Three years of successful employment in a special center;
 - (4) Completion of a Commission-approved program for the Special Education Specialist Instruction Credential authorizing the teaching of the severely handicapped; and
 - (5) Verification of passage of the California Basic Education Skills Test, as specified in Education Code, Section 44252.
- (b) Period of Validity. The Restricted Severely Handicapped Credential is valid for five years and may be renewed with verification of two years of successful experience in a Special Center during the valid period of the credential being renewed, and completion of six semester units of collegiate course work related to special education completed during the five year period of validity.

- (c) Authorization. The Restricted Severely Handicapped Credential authorizes the instruction, guidance, and care of children in a special center and not in a special class as both are used in Article 4, Section 56364.

Authority: Education Code Section 44225(b).

Reference: Education Code Section 56364.5.

80061.2 Requirements for the Special Center Permit

- (a) The requirements for the Special Center Permit shall include all of the following:
- (1) Possession of a permit which authorizes service in a Special Center;
 - (2) A minimum of two (2) years of successful full-time teaching experience in a position requiring the special center permit;
 - (3) Sixty semester hours of college course work including eight semester hours selected from the following fields: specialized preparation to serve as a teacher of exceptional children, nursery education, early childhood education or child development. An applicant who has not completed the 60 semester hours of college work at the time his or her provisional permit expires has the right of appeal pursuant to Sections 80505-80522;
- (b) Requirements for the renewal of the Special Center Permit shall include all of the following:
- (1) Verification of two years of successful experience in a special center during the valid period of the permit;
 - (2) Verification of either of the following:
 - (A) Completion of nine semester units of collegiate course work leading to a degree and/or a credential; or
 - (B) Completion of an individualized program of staff development totaling not less than 150 clock hours, with at least 25 hours in each year of the five-year period of validity. The individualized program will be signed by the applicant and the site administrator. Verification of completion will be in the form of a letter from the site administrator;
 - (3) Submission of an application form, verification of (b)(1) and (b)(2) above, and the fee as specified in Section 80487;

(c) Period of Validity:

The Special Center Permit is valid for five years and may be renewed as specified in Subsection (b);

(d) Authorization:

The Special Center Permit authorizes the instruction guidance and care of children in a Special Center as defined in Education Code Sections 56364 and 56030.5.

Authority: Education Code Section 44225(b) and 56364.5.

Reference: Education Code Section 56364 and 56030.5

COMMISSION ON TEACHER CREDENTIALING

1020 O STREET
SACRAMENTO, CALIFORNIA 95814



OFFICE OF THE EXECUTIVE SECRETARY

Section(s) 80061, 80061.1, 80061.2

RESPONSE TO 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 which are coming up for Public Hearing, please return this response to the Commission Office at the above address by April 30, 1985 in order that the material can be presented at the May 2, 1985 Commission meeting.

- 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 only.
 Organizational opinion. (Please specify) _____
- 4. I shall be at the Public Hearing, place my name on the list for making a presentation to the Commission.
 No, I will not make a presentation to the Commission at the Public Hearing.

(Print or type name) Date _____

Title _____

Representing: _____
(Circle One: School District, College, University, Professional Organization, Private Citizen, Other)