

COMMISSION ON TEACHER CREDENTIALING

1020 O STREET
SACRAMENTO, CALIFORNIA 95814

(916) 445-0184

OFFICE OF THE EXECUTIVE SECRETARY



July 26, 1985

85-8605

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

FROM: *Richard Mastain*
Richard K. Mastain, Acting Executive Secretary

SUBJECT: Proposed California Administrative Code, Title 5
Regulations, to Clarify the Authorization of All
Special Education Credentials (Sections 80046.5,
80047 - 80047.9)

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

September 12, 1985
1:00 p.m.
Clarion Hotel
16th and H Streets
Sacramento, California

BACKGROUND

Prior to the full implementation of the Special Education Master Plan, in the 1981-82 school year, special education classes were generally called - classes for the learning handicapped, or the severely handicapped, or the physically handicapped, or the communication handicapped, or the visually handicapped. There was a direct correlation between the names of the special education programs and the credentials issued under existing statutes (i.e., the learning handicapped credential, the severely handicapped credential, the physically handicapped credential, the communication handicapped credential, and the visually handicapped credential). During the period preceding the full implementation of the master plan, holders of credentials issued under prior statutes were assigned to the special classes (LH, SH, PH, CH, or VH) that most closely approximated their preparation and the title of their credential.

The full implementation of the master plan resulted in the placement of all special education pupils in the "least restrictive

BACKGROUND - continued

environment", based on an Individual Educational Program (I.E.P.). Because there was no longer a direct correlation between the title of the credential and the population of students authorized to be served by holders of said credential, many teachers and employers became concerned about the authorization of each of the thirty-five special education teaching credentials (five Ryan Teaching Credentials, one Ryan Services Credential with a Teaching Authorization, and 28 Special Education Teaching Credentials issued under prior statutes and regulations). Both the State Board of Education and the Commission acted during this period to provide clarification regarding the authorizations of Special Education Credentials.

The State Board of Education adopted Title 5 Regulations in April 1979 that allowed "teachers assigned to teach classes enrolling broader disability grouping than their special education credentials encompass" to continue to be assigned on the condition that they do one of the following:

1. Complete a program for the appropriate special education credential and possess the necessary competencies to teach individuals assigned to that class, as verified annually by the superintendent; or
2. Possess the necessary competencies which are appropriate for the specific teaching assignment and which are verified annually by the superintendent. The development of necessary competencies may be accomplished through the responsible local agency and a university or college.

The regulations adopted by the State Board in April 1979 provided employers with considerable flexibility in the assignment of special education teachers and, also, provided some clear direction to employers and to teachers during the period of transition to full implementation of the Special Education Master Plan

In November 1979 the Commission issued coded correspondence #79-8021 which clarified the authorization of special education credentials. The Commission requested responses from the 2,000 individuals and agencies that receive the coded correspondence, as a basis for future Title 5 Regulations. The responses, while few in number, were generally in agreement with the contents of the coded correspondence.

THE PURPOSE OF EACH SECTION OF THE PROPOSED REGULATIONS FOLLOW:

Subsection 80046(a)

Purpose To make clear that the authorizations of the twenty-six special education credentials are tied to one or more of the eleven handicapping conditions defined in Title 34 of the Code of Federal Regulations.

Purpose of Subsection 80046(a) continued

Title 34 of the Code of Federal Regulations defines eleven handicapping conditions. These eleven handicapping conditions are used in California for the "December Child Count". The "December Child Count" is completed each December for the purpose of determining how many children have one of the eleven handicapping conditions as his/her primary disability. These eleven handicapping conditions are clearly defined and well understood by special education teachers and administrators.

While pupils receiving special education services are to be placed in the "least restrictive environment" on the basis of an Individual Educational Program (I.E.P.), the great majority of the pupils in a given special class will have a common primary disability; i.e., one of the handicapping conditions.

The decision to tie the authorization to the primary disability in the special class was determined by a group of special education experts representing teachers, administrators, the State Department of Education, the Commission, and colleges. The decision was based on three factors:

- (1) The clarity of the definitions of the handicapping conditions;
- (2) The common usage and understanding of the eleven handicapping conditions throughout California;
- (3) The fact that the great majority of pupils in each special class have a common primary disability (i.e., one of the handicapping conditions).

Purpose of Subsection 80046(b)

To make clear that the credentials specified as authorizing service in each of the eleven handicapping conditions, Sections 80047 - 80047.9 respectively, were determined on the basis of the initial preparation required for the credential; the kinds of assignments and experience holders of specific credentials have had during the past 12-14 years; and statutory credential requirements for certain populations of special education students (i.e., E.C. Section 44265.5 related to visually handicapped, hearing handicapped, and orthopedically handicapped).

Purpose of Subsection 80046(c)

This subsection specified that while a given credential authorizes service with a special class in which the primary disability is one of the eleven defined in Title 34 of the Code of Federal Regulations, it does not preclude the provision of service in that special class to individuals with other primary disabilities.

Purpose of Section 80047

This section lists six credentials that authorize the holder to teach in a special class in which the primary disability is "specific learning disability" or "mentally retarded (mild)".

Purpose of Section 80047.1

This section lists six credentials that authorize the holder to teach in a special class in which the primary disability is "mentally retarded (severely)".

Purpose of Section 80047.2

This section authorizes holders of the credentials listed in Sections 80047 and 80047.1 to teach in a special class in which the primary disability is seriously emotionally disturbed, with the provision that the holder will complete program components specific to teaching this population of pupils. This proposed section accurately reflects the assignment of personnel made during the past 3-5 years to teach the seriously emotionally disturbed.

Purpose of Section 80047.3

This section lists eleven credentials that authorize the holder to teach in a special class in which the primary disability is "multihandicapped".

Purpose of Section 80047.4

This section lists two credentials that authorize the holder to teach in a special class in which the primary disability is "other health impaired (autistic)". The second listed credential, the Communication Handicapped Specialist Instruction Credential, authorizes the holder to teach in a special class in which the primary disability is "other health impaired (autistic)" with the provision that the holder will complete program components specific to this population of pupils.

Purpose of Section 80047.5

This section lists seven credentials that authorize the holder to teach in a special class in which the primary disability is "speech and language impaired".

Purpose of Section 80047.6

This section lists seven credentials that authorize the holder to teach in a special class in which the primary disability is "deaf" or "hard-of-hearing".

Purpose of Section 80047.7

This section lists four credentials that authorize the holder to teach in a special class in which the primary disability is "deaf-blind".

Purpose of Section 80047.8

This section lists eight credentials that authorize the holder to teach in a special class in which the primary disability is "visually handicapped".

Purpose of Section 80047.9

This section lists five credentials that authorize the holder to teach in a special class in which the primary disability is "orthopedically impaired" or "other health impaired (limited strength, vitality, or alertness)".

Notice of the September 12, 1985 public hearing on these proposed Title 5 Regulations was included in the July 19, 1985 publication of the California Administrative Notice Register.

Please feel free to duplicate and distribute these proposed Title 5 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 30 copies of your material for distribution to the Commissioners and staff. If you can provide your statement to the Commission office 15 days before the public hearing, 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 the proposed Title 5 Regulations, you can reply on the response form found on the last page.

PROPOSED TITLE 5 REGULATIONS
(Special Education Credentials)

80045. Scope of the Authorization of Special Education Credentials

Prior to the full implementation of the Master Plan for Special Education, there had been a match between the credential issued, the college program preparing individuals for the special education credential, and the delivery of programs in the public schools. Since the onset of the Master Plan for Special Education, there has been confusion regarding the specific populations of special education pupils and the programs that holders of special education credentials are authorized to teach. In order to avail the program options to individuals with exceptional needs in the various educational settings, it is necessary to clarify the authorization of all special education credentials including those issued under existing statutes and those issued under prior law.

The regulations are being developed with the following criteria:

- (a) The authorizations are related to the disabilities defined in Title 34 of the Code of Federal Regulations;
- (b) The authorizations are based on the preparations and experiences of the special education credential holders and are designed to provide maximum flexibility within the authority of the statutes and good educational practice;
- (c) The authorizations specified in Sections 80047.1 through 80047.8 permit services by qualified personnel, as defined in Title 5 regulations, to individuals with exceptional need whose primary disability is other than the primary disability of the majority of pupils in the special classes/programs, as specified in the Individualized Education Program (I.E.P.).

NOTE: Authority Cited: Sections 22 and 44225, Education Code.
Reference: Sections 44265, 44265.5, 44343, 44344,
44349, Education Code;
20 USC 1401(1), (15).

Proposed Title 5 Regs. (cont'd.)

80047. Authorization for Special Class with Primary Disabilities:
Specific Learning Disability or Mentally Retarded (Mild)

Holders of the listed credentials are authorized to teach in a special class in which the primary disability is "specific learning disability" as defined in Subsection 300.5(b)(9) of Title 34 Code of Federal Regulations, Subpart A, or "mentally retarded" as defined in Subsection 300.5(b)(4) of Title 34 Code of Federal Regulations, Subpart A, and when the mentally retarded pupil's Individual Educational Program goals and objectives indicate that this special class would be the most appropriate placement for him or her:

- (a) Special Education Specialist Instruction credential for the Learning Handicapped;
- (b) Standard Teaching credential with the minor - Mentally Retarded;
- (c) Restricted Special Education credential - Educable Mentally Retarded;
- (d) Limited Specialized Preparation credential - Mentally Retarded;
- (e) Special Secondary credential - Mentally Retarded;
- (f) Exceptional Children credential - Mentally Retarded.

NOTE: Authority Cited: Section 44225, Education Code.
Reference: Section 44265, 44343, 44344, Education Code;
20 USC (1401(1), (15).

80047.1 Authorization for Special Class with Primary Disability:
Mentally Retarded (Severely)

Holders of the listed credentials are authorized to teach a special class in which the primary disabilities include "mentally retarded" as defined in Subsection 300.5(b)(4) of Title 34 Code of Federal Regulations, Subpart A, and when the mentally retarded pupil's Individual Educational Program goals and objectives indicate that this special class would be the most appropriate placement for him or her:

- (a) Special Education Specialist Instruction credential for the Severely Handicapped;
- (b) Standard Teaching credential with the minor - Mentally Retarded;
- (c) Restricted Special Education credential - Trainable Mentally Retarded;

Proposed Title 5 Regs. (cont'd.)

- (d) Limited Specialized Preparation credential - Mentally Retarded;
- (e) Special Secondary credential - Mentally Retarded;
- (f) Exceptional Children credential - Mentally Retarded.

NOTE: Authority Cited: Section 44225, Education Code.
Reference: Section 44265, 44343, 44344, Education Code;
20 USC 1401(1), (15).

80047.2 Authorization for Special Class with Primary Disability:
Seriously Emotionally Disturbed

Holders of the listed credentials are authorized to teach a special class in which the primary disabilities include "seriously emotionally disturbed" as defined in Subsection 300.5(b)(8) of Title 34 Code of Federal Regulations, Subpart A:

- (a) Holders of any of the special education credentials listed in Sections 80047 and 80047.1, provided the following conditions have been met:
 - (1) The holder of the special education credential has taught successfully full-time for at least one year in a special class in which the primary disability was seriously emotionally disturbed; and
 - (2) The holder of the special education credential completes the following components in a Commission-approved program, and does so by September 1988:
 - (A) Causes and characteristics of seriously emotionally disturbed pupils;
 - (B) Identification of seriously emotionally disturbed pupils and diagnosis of instructional needs;
 - (C) Curriculum design and classroom management;
 - (D) Community resources;
 - (E) Advanced behavior management strategies for seriously emotionally disturbed pupils; and
 - (F) Parent/professional collaboration.
 - (3) In meeting the program components, specific to teaching the seriously emotionally disturbed, specified in Subsection 80047.2(a)(2)(A) through (F) prior teaching experience and previously completed professional growth activities shall be

Proposed Title 5 Regs. (cont'd.)

assessed by the college as meeting some or all of the components of the Commission-approved program. In those instances in which there are unresolved differences between the holder of the special education credential and the director of college program as to the number of components that need to be completed, such differences may be appealed to the Commission's Licensing and Professional Development Committee.

NOTE: Authority Cited: Section 44225, Education Code.
Reference: Section 44265, 44343, 44344, Education Code;
20 USC 1401(1), (15).

80047.3. Authorization for Special Class with Primary Disability:
Multi-Handicapped

Holders of the listed credentials are authorized to teach a special class in which the primary disability is "multihandicapped" as defined in Subsection 300.5(b)(5) of Title 34 Code of Federal Regulations, Subpart A:

- (a) Special Education Specialist Instruction credential for the Severely Handicapped;
- (b) Standard Teaching credential with the minor - Mentally Retarded;
- (c) Restricted Special Education credential - Trainable Mentally Retarded;
- (d) Limited Specialized Preparation credential - Mentally Retarded;
- (e) Special Secondary credential - Mentally Retarded;
- (f) Exceptional Children credential - Mentally Retarded;
- (g) Special Education Specialist Instruction credential for the Physically Handicapped;
- (h) Standard Teaching credential with the minor - Orthopedically Handicapped, including the Cerebral Palsied;
- (i) Restricted Special Education credential - Orthopedically Handicapped, including the Cerebral Palsied;
- (j) Limited Specialized Preparation credential - Orthopedically Handicapped, including the Cerebral Palsied;
- (k) Exceptional Children credential - Orthopedically Handicapped, including the Cerebral Palsied.

NOTE: Authority Cited: Section 44225, Education Code.
Reference: Section 42265, 44343, 44344, Education Code;

Proposed Title 5 Regs. (cont'd.)

80047.4 Authorization for Special Class with Primary Disability:
Other Health Impaired (Autistic)

Holders of the below cited credential are authorized to teach a special class in which the primary disability is "other health impaired" as defined in Subsection 300.5(b)(7)(1) [autistic] of Title 34 Code of Federal Regulations, Subpart A:

(a) Special Education Specialist Instruction credential for the Severely Handicapped;

(b) Special Education Specialist credential for the Communication Handicapped, provided the following conditions have been met:

(1) The holder of the Special Education Specialist Credential for the Communication Handicapped has taught successfully full-time for at least one year in a special class in which the primary disability was other health impaired (autistic);

(2) The holder of the Special Education Specialist for the Communication Handicapped completes the following components in a Commission-approved program, and does so by September 1988:

(A) Causes and Characteristics of Autism;

(B) Identification of autistic pupils and diagnosis of instructional needs;

(C) Curriculum design and classroom management;

(D) Community Resources;

(E) Advanced behavior management strategies for autistic pupils; and

(F) Parent/professional collaboration.

(3) In meeting the program components specific to teaching the autistic pupil, specified in Subsection 80047.4(b)(2)(A) through (F), prior teaching experience and previously completed professional growth activities shall be assessed by the college as meeting some or all of the components of the Commission-approved program. In those instances in which there are unresolved differences between this population of applicant for the Adapted Physical Education Specialist credential and the director of the college program as to the number of program components that

Proposed Title 5 Regs. (cont'd.)

need to be completed, such differences may be
appealed to the Commission's Licensing and
Professional Development Committee.

NOTE: Authority Cited: Section 44225, Education Code.
Reference: Section 44265, 44343, 44344, Education Code;
20 USC 1401(1), (15).

80047.5. Authorization for Special Class with Primary Disability:
Speech and Language Impaired

Holders of the listed credentials are authorized to teach
a special class in which the primary disability is "speech and
language impaired" as defined in Subsection 300.5(b)(10) of
Title 34 Code of Federal Regulations, Subpart A:

- (a) Special Education Specialist Instruction credential for
the Communication Handicapped;
- (b) Clinical Rehabilitative Services credential in Language,
Speech and Hearing with the Special Class Authorization;
- (c) Standard Teaching credential with the minor - Speech
and Hearing Handicapped;
- (d) Restricted Special Education credential - Speech and
Hearing Therapy;
- (e) Limited Specialized Preparation credential - Speech
and Hearing Handicapped;
- (f) Special Secondary credential - Correction of Speech
Defects;
- (g) Exceptional Children credential - Speech Correction
and Lip Reading.

NOTE: Authority Cited: Section 44225, Education Code.
Reference: Sections 44265, 44343, 44344, Education Code;
20 USC 1401(1), (15).

Proposed Title 5 Regs. (cont'd.)

80047.6. Authorization for Special Class with Primary Disability:
Deaf or Hard-of-Hearing

Holders of the listed credentials are authorized to teach a special class in which the primary disability is "deaf" or "hard-of-hearing" as defined in Subsections 300.5(b)(1) and 300.5(b)(3) of Title 34 Code of Federal Regulations, Subpart A:

- (a) Special Education Specialist credential for the Communication Handicapped;
- (b) Standard Teaching credential with the minor - Deaf and Severely Hard-of-Hearing;
- (c) Restricted Special Education credential - Deaf and Severely Hard-of-Hearing;
- (d) Limited Specialized Preparation credential - Deaf and Severely Hard-of-Hearing;
- (e) Special Secondary credential - Deaf;
- (f) Special Secondary credential - Lip Reading;
- (g) Exceptional Children credential - Deaf or Hard-of-Hearing;

NOTE: Authority Cited: Section 44265, Education Code.
Reference: Section 44265, 44265.5(b), 44343, 44344,
Education Code;
20 USC 1401(1), (15).

80047.7. Authorization for Special Class with Primary Disability:
Deaf-Blind

Holders of the listed credentials are authorized to teach a special class in which the primary disability is "deaf-blind" as defined in Subsection 300.5(b)(2) of Title 34 Code of Federal Regulations, Subpart A:

- (a) Special Education Specialist Instruction credential for the Communication Handicapped;
- (b) Special Education Specialist Instruction credential for the Visually Handicapped;
- (c) Special Education Specialist Instruction credential for the Severely Handicapped;
- (d) Restricted Special Education - Deaf-Blind.

NOTE: Authority Cited: Section 44225, Education Code.
Reference: Section 44265, 44265.5(a)&(b), 44343, 44344,
Education Code;
20 USC 1401(1), (15).

Proposed Title 5 Regs. (cont'd.)

80047.8. Authorization for Special Class with Primary Disability:
Visually Handicapped

Holders of the listed credentials are authorized to teach a special class in which the primary disability is "visually handicapped" as defined in Subsection 300.5(b)(11) of Title 34 Code of Federal Regulations, Subpart A:

- (a) Special Education Specialist Instruction credential for the Visually Handicapped;
- (b) Special Education Specialist Instruction credential for the Physically Handicapped that was issued prior to January 1, 1981, on the basis of completing a Commission-approved program in which the focus was the Visually Handicapped;
- (c) Standard Teaching credential with the minor - Visually Handicapped;
- (d) Restricted Special Education credential - Visually Handicapped;
- (e) Limited Specialized Preparation credential - Visually Handicapped;
- (f) Special Secondary credential - Partially Sighted Child;
- (g) Special Secondary credential - Blind;
- (h) Exceptional Children credential - Visually Handicapped.

NOTE: Authority Cited: Section 44225, Education Code.
Reference: Section 44265, 44265.5(a), 44343, 44344,
Education Code;
20 USC 1401(1), (15).

Proposed Title 5 Regs. (cont'd.)

80047.9. Authorization for Special Class with Primary Disability:
Orthopedically Impaired or Other Health Impaired (Having
Limited Strength, Vitality or Alertness)

Holders of the listed credentials are authorized to teach
a special class in which the primary disability is "orthopedic-
ally impaired" as defined in Subsection 300.5(b)(6) of Title
34 Code of Federal Regulations, Subpart A, or "other
health impaired" as defined in Subsection 300.5(b)(7)(ii) [having
limited strength, vitality or alertness] of Title 34 Code of
Federal Regulations, Subpart A:

- (a) Special Education Specialist Instruction credential for
the Physically Handicapped;
- (b) Standard Teaching credential with the minor - Orthopedically
Handicapped, including the Cerebral Palsied;
- (c) Restricted Special Education credential - Orthopedically
Handicapped, including the Cerebral Palsied;
- (d) Limited Specialized Preparation credential - Orthopedically
Handicapped, including the Cerebral Palsied;
- (e) Exceptional Children credential - Orthopedically Handi-
capped, including the Cerebral Palsied.

NOTE: Authority Cited: Section 44225, Education Code.
Reference: Section 44265, 44265.5(c), 44343, 44344,
Education Code:
20 USC 1401(1), (15).

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OFFICE OF THE EXECUTIVE SECRETARY

Section(s) 80046.5, 80047-80047.9

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 September 9, 1985 in order that the material can be presented at the September 12, 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)