

COMMISSION ON TEACHER CREDENTIALING

312 9TH STREET
SACRAMENTO, CA 94244-2700

(916)445-0184

90-9002

DATE: February 15, 1990

TO: All Individuals and Groups Interested in the Activities of the
Commission on Teacher CredentialingFROM:  Philip A. Fitch, Ed.D., Executive SecretarySUBJECT: Proposed Addition of Section 80048.2 of Title 5 of the
California Code of Regulations Pertaining to Specific
Requirements for Preliminary and Clear Specialist Instruction
Credential in Special Education**Notice of Public Hearing is Hereby Given:**

In accordance with Commission policy, proposed Title 5 Regulations are being distributed prior to the public hearing. The public hearing is scheduled on:

April 5, 1990
1:30 p.m.
Radisson Hotel
500 Leisure Lane
Sacramento, California

Statement of Reasons

The Commission proposes the addition of Section 80048.2 to authorize fully trained out-of-state special education teachers to teach in a special education classroom in California while completing the requirements for the prerequisite teaching credential, including the student teaching requirement, during the five year term of the proposed Preliminary credential.

The adoption of the Preliminary and Clear Specialist Credential in Special Education is an interim measure to address the severe shortage of special education teachers, pending completion of the study of special education competencies initiated by the Commission on Teacher Credentialing. The goal of the study is to determine those competencies that are required for

all beginning teachers of special education and those competencies that are unique to handicapping conditions identified in Public Law 94-142, the Education of the Handicapped Act of 1975, and its amendments. The results of the study will be used to develop recommendations for the Commission to consider possible changes in the current credentialing structure for special education personnel in California. Current timelines call for recommendations to be presented to the Commission early in 1991. The proposed provisions would sunset on September 30, 1992.

In addition, Chapter 388 of 1989 amended Sections 44265 and 44265.5 of the Education Code so that it no longer specifically requires an applicant to hold a basic teaching credential prior to applying for a special education credential. The results of the special education competencies study, along with advisory panel analysis of the issues and input from the field through the public hearing process, will help the Commission to determine whether the basic teaching credential should be required for every specialist credential.

Staff assured constituents that the Commission would not consider overall changes in special education credential requirements prior to completion of the study however, data on special education teacher supply and demand in California revealed a severe shortage of qualified candidates. These proposed regulations would assist school districts and county offices in recruiting qualified special education teachers from out-of-state who meet the minimum qualifications to teach special education students while requiring completion of the basic teaching credential within five years.

Currently, out-of-state special education teachers are issued a One Year Non-Renewable Emergency Credential (ONYRE) but "emergency" is a misnomer since these applicants are fully trained in special education. These fully trained teachers would help personnel administrators who are unable to hire sufficient numbers of qualified candidates within California, and may be found out of compliance with California Master Plan for Special Education and Federal statutes which mandate a free, appropriate public education for individuals with handicaps.

Employing school districts and county offices may apply for waivers from the State Superintendent of Public Instruction for a teacher who may have no background in special education and may be someone from a substitute teacher list who has only a baccalaureate degree and no preparation in teaching at all. The number of special education waivers has increased dramatically since 1984-85 and a reverse in the trend seems unlikely.

Waivers have no renewal requirement nor do they encourage holders to move toward completion of a clear California credential.

Documents Relied Upon in Making Determination to Change These Regulations

Commission on Teacher Credentialing (September 1989--Agenda item). A Report on the Need for the Issuance of Emergency Permits and Preliminary Credentials to Special Education Teachers.

Commission on Teacher Credentialing (July 1989). A Report on Teacher Supply: Enrollments in Professional Programs During 1987 and 1988.

Ad Hoc Committee on Special Education Personnel Availability (January 1990--Draft). A Special Report on Special Education Personnel Preparation and Credentialing for the 1990s.

Winget, P. (1989) Teacher shortage critical in special education. Special EDge, 3 (9), 1, 10.

State of California, Department of Education, Division of Special Education (1987). Special Education Statewide Pupil Count: December 1 Memorandum. (Documents for 1985, 1986 and 1988 were also considered.)

Submission of Written Comments

A response form is attached for your use in submitting written comments to the Commission's offices at 1812 9th Street, Sacramento, CA 95814-7000, at least one day prior to the date of the public hearing,

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments on the proposed action. The written comment period closes at 5:00 p.m. on April 4, 1990.

Any written comments received 14 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. You may call Dr. Philip A. Fitch at (916)445-0184.

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 twenty-five copies. 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 hereby proposed, the modifications (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

Contact Person/Further Information

Inquiries concerning the proposed action may be directed to Dr. Marie Schrup at (916)327-2966. 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. In addition, all the information upon which this proposal is based is available for inspection and copying.

Attachments

Part 8 of TITLE 5. Education
California Code of Regulations

Proposed Addition of Section 80048.2

Specific Requirement for Preliminary and Clear
Specialist Instruction Credential in Special Education

Section 80048.2. Specific Requirements for Preliminary and Clear Specialist Instruction Credential in Special Education

(a) The minimum requirements for the preliminary Specialist instruction Credential in Special Education shall include all of the following:

(1) A baccalaureate or higher degree from a regionally accredited institution of postsecondary education;

(2) The completion of a professional preparation program in a special education specialist categories comparable to a Commission-approved program, including successful completion of student teaching or supervised field study, but taken outside of California and approved by the appropriate agency in the state where the coursework was completed.

(3) Passage of the California Basic Education Skills Test described in Education Code Section 44252;

(4) Written acknowledgement from the applicant and the employing district that the applicant is responsible for completing the requirements for the Multiple or Single Subject Teaching Credential, including the student teaching requirement, during the five-year term of the preliminary credential or before another credential authorizing special education instruction will be issued.

(b) The minimum requirements for the clear Specialist Instruction Credential in Special Education shall include all of the following:

(1) A baccalaureate or higher degree from a regionally accredited institution of postsecondary education;

(2) The completion of a Commission-approved professional preparation program in one or more special education category or completion of a professional preparation program in one or more special education category comparable to a Commission-approved program, including successful completion of student teaching or supervised field study, but taken outside of California and approved by the appropriate agency in the state where the coursework was completed.

(3) Possession of a California Multiple or Single Subject Teaching Credential or an equivalent California Teaching Credential issued under prior statutes and regulations.

(c) The period of validity of the preliminary Specialist Instruction Credential in Special Education is five years. The preliminary credential may not be renewed. The provisions of subsections (a)(1) through (5) will be repealed on September 30, 1992. The issuance of this preliminary credential is an interim measure to address a severe special education teacher shortage while awaiting completion of a study on this issue.

(d) The period of validity of the clear Specialist Instruction Credential in Special Education is dependent upon the period of validity of the prerequisite teaching credential, or five years, if the prerequisite teaching credential is valid for life.

(e) Authorization. The preliminary or clear Specialist Instruction Credential in Special Education authorizes the holder to teach in the special education specialist category named on the credential and as specified in Section 80046.5 and 80047 through 80047.9.

Note: Authority Cited: Section 44225(b), Education Code. Reference: Section 44225(b), Education Code.

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SACRAMENTO, CA 94244-2700

(916)445-0184

Attn: Philip A. Fitch, Ed.D.
Executive SecretarySpecific Requirements for Preliminary
and Clear Specialist Instruction
Title: Credential in Special Education
Section No(s): 80048.2

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 which are coming up for public hearing, please return this response form to the Commission Office at the above address by 5 pm on April 4, 1990 in order that the material can be presented at the April 5, 1990 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.
4. Organizational opinion of the undersigned only.
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.

Name: _____ Date: _____

Title: _____

Representing: _____

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