



## CODED CORRESPONDENCE

<b>DATE:</b> June 18, 2008	<b>NUMBER:</b> 08-08
<b>TO:</b> All Individuals and Groups Interested in the Activities of the Commission on Teacher Credentialing	<b>FROM:</b> Dale A. Janssen Executive Director Commission on Teacher Credentialing
<b>SUBJECT: Proposed Amendments to 5 California Code of Regulations Section 80413 Pertaining to Specific Requirements for Preliminary and Clear Multiple and Single Subject Teaching Credentials for Applicants Prepared in California</b>	

### **Notice of Public Hearing is Hereby Given**

The Commission on Teacher Credentialing (Commission) proposes to amend regulatory action described below after considering all comments, objections and recommendations regarding the proposed action.

#### **Public Hearing**

A public hearing on the proposed actions will be held:

**August 8, 2008**

**8:45 a.m.**

**San Diego County Office of Education**

**6401 Linda Vista Road**

**San Diego, CA 92111**

#### **Written Comment Period**

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 August 5, 2008. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 322-0048; write to the Commission on Teacher Credentialing, attn. Terri H. Fesperman, 1900 Capitol Avenue, Sacramento, California 95814-4213; or submit an email at [tfesperman@ctc.ca.gov](mailto:tfesperman@ctc.ca.gov).



Any written comments received 18 days prior to the public hearing will be reproduced by the Commission's staff for each member of the Commission 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.

### **Authority and Reference**

Education Code Section 44225 authorizes the Commission to promulgate rules and regulations which will implement, interpret or make specific sections 44225(b), 44225(d), 44225(l) of the Education Code and govern the procedures of the Commission.

### **Informative Digest/Policy Statement Overview**

#### Summary of Existing Laws and Regulation

Currently 5 Cal Code Regs Section 80413(b)(2) provides that effective August 30, 2004, completion of a Commission approved program of beginning teacher induction is required to earn a (professional) clear single subject and multiple subject teaching credential. If a beginning teacher is eligible for induction but an employing agency verifies that induction is not available or the employing agency verifies that the beginning teacher is required under the federal No Child Left Behind Act (NCLB) to complete subject matter course work to be qualified for a teaching assignment, he or she may complete a Commission-accredited fifth year of study program. Induction, as defined by the Commission's adopted *Standards of Quality and Effectiveness for Professional Teacher Induction Programs*, is a standards-based job-embedded process of applying and demonstrating theory and knowledge acquired in the preliminary preparation program with the support and assistance of a support provider leading to the clear credential recommendation.

An employing agency is defined in the regulations as including public school districts, county offices of education, schools that operate under the direction of a California state agency, nonpublic, nonsectarian schools and agencies, charter schools and private schools. These agencies will determine the method the beginning teacher will complete the requirements to earn the clear credential, by induction or a fifth year of study.

State funding is available to support induction for all individuals employed in the public schools in California in their first and second year of teaching on a preliminary multiple or single subject teaching credential. Individuals employed in private schools or other teaching positions, but not K-12 public schools, may participate in an approved induction program but are not supported by state funding. Preliminary multiple and single subject credential holders who are employed as day-to-day substitutes, individuals who move out of California prior to completing the clear credential requirements, and individuals who are employed by an entity that is not a school or who are not employed are not eligible for induction, consequently they are not eligible to participate in the fifth year of study. As a result, for these individuals neither state funded induction or a fifth year of study can be completed to earn the clear credential. These individuals might be eligible to complete a university-based induction program, should one be available.

Currently, a preliminary credential is valid for five years. The expectation is that the vast majority of individuals who earn a preliminary multiple subject or single subject credential will be employed as a K-12 teacher within those five years and therefore able to complete the clear credential program through induction. (The clear credential program is completion of either a Commission-approved induction program or a Commission-accredited fifth year of study.) But it is now clear that a small percentage of individuals who hold preliminary multiple or single subject credentials are not able to participate in induction and are not employed by entities that can waive the induction requirement to allow the individual to complete a fifth year of study. Beginning in September 2009, there will be individuals who hold preliminary credentials that will soon expire and the individual will not have had the opportunity to earn the clear credential.

Following discussions with stakeholders from the induction and university communities it appears there is broad agreement that individuals who earn the clear credential should have demonstrated the skills and abilities as defined by the clear credential program standards. Stakeholders have also expressed concern for individuals who earned the preliminary credential but have not been able to find a teaching position in a public school and therefore have not had the opportunity to complete induction.

***Proposed Changes to Regulation***

**§80413(a)(2)** Update the basic skills requirement in alignment with recent changes in statute.

**§80413(a)(8)** Clarifies how approved programs, other than institutions of higher education, can verify completion of the approved program..

**§80413(b) and (c)** As a result of the passage of SB 1209 (Chap. 517, Stats. 2006) and the deletion of Education Code sections 44270.1 and 44277, professional growth is no longer a requirement to earn a ‘professional’ clear credential and the Commission has returned to issuing clear credentials. In addition, grammatical errors are being corrected.

**§80413(d)** Adds conditions and requirements to extend a credential for a two-year period (induction is generally a two-year program) for individuals employed in a position for which they may complete the clear credential program but need additional time to complete the requirements are described in the subsection.

**§80413(e)** Adds conditions and requirements to extend a credential for a three-year period for individuals who have not completed a clear credential program for the clear credential are described in the subsection.

Adds a requirement that the individual must certify that he or she was not employed or not employed long enough in a position for which the clear credential program was available will keep an individual from obtaining the two-year extension in subsection (d) and then obtaining the three-year extension in subsection (e).

**§80413(f)(1)** Defines which employing agencies can determine if preliminary credential holders may participate in a Commission-approved fifth year program. The expanded definition for ‘employing agency’ adds juvenile court schools and juvenile and adult correction because these are employment situations where a Commission-approved Induction Program may be offered.

**§80413(f)(3)** Adds a definition for ‘clear credential program’ for clarification.

The proposed regulations allow for three options:

- 1) A two-year extension for individuals employed in a position for which they may complete the clear credential program but need additional time to complete the requirements. *[subsection (d)]*

If an individual has not been able to find employment as a teacher, then his or her preliminary credential would expire. Every individual has the right to request an extension of an expired credential. When the individual finds employment and therefore needs the credential, then he or she would request an extension of the preliminary credential providing information including verification of employment. This will allow the individual to be employed as a teacher and participate in an induction program to earn the clear credential. If the individual did not complete the renewal requirements for a reason such as illness, an additional one-year extension may be issued on a case by case situation.

- 2) A three-year extension for individuals who have not completed the requirements to earn a clear credential and are not in a position whereby they may complete the clear credential program. The individual needs to hold a multiple or single subject credential to serve in their current assignment. The individual would have additional time to seek a position that would allow for completion of the clear credential program. An individual may gain employment in a position that allows for completion of the requirements within the three years and earn the clear credential. *[subsection (e)]*

The recommendation from stakeholders from the induction and university communities is that an individual should be allowed to request a one-time renewal of the preliminary credential for three years. Included in the application would be a statement from the individual explaining why induction was not completed in the five years of the preliminary credential and describing the plan to complete the clear credential program within the three-year time period of the extension. In addition, the individual will need to certify that he or she was not employed in a position for which the clear credential program was available.

An individual who has been issued the two-year extension in #1 is not eligible for the three-year extension in #2 as an individual must certify that he or she was not employed in a position for which the clear credential program was available to earn the three-year extension. If an individual does not complete the clear credential

program during the two-year extension because he/she were negligent, the three-year extension would not be available. *[subsection (e)(2)(B)(ii)]*

- 3) An individual who received a three-year extension of their preliminary credential as noted in #2 may extend the credential for an additional two years as noted in #1 if he or she gains employment in a position that allows for completion of the requirements after the three-year extension. This would allow for the additional time necessary to earn the clear credential.

**Documents Incorporated by Reference:** None

**Documents Relied Upon in Preparing Regulation:** None

**Disclosures Regarding the Proposed Actions**

The Commission has made the following initial determinations:

*Mandate to local agencies or school districts:* None.

*Other non-discretionary costs or savings imposed upon local agencies:* None.

*Cost or savings to any state agency:* None.

*Cost or savings in federal funding to the state:* None.

*Significant effect on housing costs:* None.

*Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states:* None.

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with Section 17500) of the Government Code.

*Cost impacts on a representative private person or business:* The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

*Assessment regarding the creation or elimination of jobs in California [Govt. Code §11346.3(b)]:* The Commission has made an assessment that the proposed amendments to the regulation would not (1) create nor eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

*Effect on small businesses:* The Commission has determined that the proposed amendment to the regulations does not affect small businesses. The regulations are not mandatory but an option that affects school districts and county offices of education.

### **Consideration of Alternatives**

The Commission must determine that no alternative considered will be more effective in carrying out the purpose for which the action is proposed or will be as effective and less burdensome to affected private persons or small businesses than the proposed action. These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with Section 17500) of the Government Code.

### **Contact Person/Further Information**

General or substantive inquiries concerning the proposed action may be directed to Terri H. Fesperman by telephone at (916) 323-5777 or Terri H. Fesperman, Commission on Teacher Credentialing, 1900 Capitol Ave, Sacramento, CA 95814. General question inquiries may also be directed to Janet Bankovich at (916) 323-7140 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. This information is also available on the Commission's web site at [www.ctc.ca.gov](http://www.ctc.ca.gov). In addition, all the information on which this proposal is based is available for inspection and copying.

### **Availability of Statement of Reasons and Text of Proposed Regulation**

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of regulations, and the initial statement of reasons.

### **Modification of Proposed Action**

If the Commission proposes to modify the actions 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.

### **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 [www.ctc.ca.gov](http://www.ctc.ca.gov) or you may obtain a copy by contacting Terri H. Fesperman at (916) 323-5777.

### **Availability of Documents on the Internet**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of the regulations in underline and strikeout can be accessed through the Commission's web site at [www.ctc.ca.gov](http://www.ctc.ca.gov).

**CALIFORNIA CODE OF REGULATIONS  
TITLE 5. EDUCATION  
DIVISION 8. COMMISSION ON TEACHER CREDENTIALING**

**Proposed Amendments to 5 California Code of Regulations §80413 Pertaining  
Specific Requirements for Preliminary and ~~Professional~~ Clear Multiple and Single  
Subject Teaching Credentials for Applicants Prepared in California**

**§80413. Specific Requirements for Preliminary and ~~Professional~~ Clear Multiple and Single Subject Teaching Credentials for Applicants Prepared in California.**

- (a) The minimum requirements for the five-year preliminary multiple and single subject teaching credentials for California-prepared applicants shall include successful completion of all of the following:
- (1) A baccalaureate degree or higher degree, except in professional education, from a regionally accredited institution of higher education.
  - (2) ~~Passage of the California Basic Educational Skills Test (CBEST),~~ Meet the basic skills requirement as described in Education Code Section 44252, unless exempt by statutes or regulations.
  - (3) A Commission-approved multiple subject or single subject program of professional preparation, as appropriate to the credential sought as described in Education Code Section 44259(b)(3).
  - (4) Completion of a study of alternative methods of developing English language skills, including the study of reading, as provided in Education Code Section 44259(b)(4). In addition multiple subject applicants shall pass the reading instruction competence assessment as provided in Education Code Section 44283.
  - (5) Subject-matter knowledge:
    - (A) For a multiple subject credential, an applicant enrolled in a teacher preparation program prior to July 1, 2004 shall meet this requirement either by passage of an examination as provided in Education Code Sections 44280, 44281, and 44282 or by completion of a subject matter program as provided in Education Code Section 44310. An applicant enrolled in a teacher preparation program on or after July 1, 2004 shall meet this requirement by passage of an examination as provided in Education Code Sections 44280, 44281 and 44282.
    - (B) For a single subject credential, an applicant shall meet this requirement either by passage of an examination as provided in Education Code Sections 44280, 44281, and 44282 or by completion of a subject matter program as provided in Education Code Section 44310.
  - (6) Demonstration of knowledge of the Constitution of the United States as provided in Education Code Section 44335.
  - (7) Demonstration of basic competency in the use of computers in the classroom as provided in Education Code Section 44259(b)(7).
  - (8) ~~The recommendation from a regionally accredited institution of higher education that has~~ Verification of completion from a Commission-approved program



accredited by the Committee on Accreditation in the preliminary credential sought, as provided in Education Code Sections 44227 44373(c) and 44259(b)(3).

- (b) The minimum requirements for the ~~professional~~ clear multiple or single subject teaching credentials must be completed within five years from the initial date of the issuance of the preliminary credential. The requirements include, successful completion of all of the following:
- (1) Possession of a valid preliminary teaching credential.
  - (2) Effective August 30, 2004, completion of a Commission-approved program of beginning teacher induction as specified in Education Code Section 44259(c)(2). If a beginning teacher is eligible for induction but an employing agency verifies that induction is not available or the employing agency verifies that the beginning teacher is required under the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) to complete subject matter course work to be qualified for a teaching assignment, the beginning teacher may complete a Commission-accredited fifth year program.
  - (3) A health education requirement, as provided in Education Code Section 44259(c)(4)(A);.
  - (4) Special education training, as provided in Education Code Section 44259(c)(4)(B);.
  - (5) Study of advanced computer-based technology, including the uses of technology in educational settings, as provided in Education Code Section 44259(c)(4)(C).
  - (6) Effective July 1, 2005 advanced study in the area of Teaching English Learners.
  - (7) An application for a ~~professional~~ clear multiple subject or single subject credential shall only be submitted by either (A) or (B) below:
    - (A) A Commission-approved induction program; or
    - (B) A regionally accredited institution of higher education with a Commission accredited fifth year.
- (c) All applicants for multiple subject and single subject ~~professional~~ clear credentials issued pursuant to Education Code Section 44259(c) with an issuance date on or after August 30, 2004 shall complete the requirements in subsection (b)(2) above.
- (d) The Commission may extend the term of the credential for a two-year period if the following conditions apply:
- (1) An individual's five-year preliminary time period has expired or will expire within one calendar year and the individual obtains employment in an employing agency as defined in subsection (f) which would allow the individual to complete the requirements in subsection (b).
  - (2) The individual submits the following to the Commission:
    - (A) Application and appropriate fee.
    - (B) Verification of employment from an employing agency in a position that allows the individual to complete the clear credential program.
    - (C) Verification of enrollment in a Commission-approved clear credential program.

- (3) The extension may be issued only once, except in cases where the individual provides proof that verifies sufficient progress toward completion of the requirements.
- (e) The Commission may extend one time the term of the credential for a three-year period if the following conditions apply:
- (1) An individual's five-year preliminary time period has expired or will expire within one calendar year and the individual has not been employed in a position which would allow completion of the requirements in subsection (b).
- (2) The individual submits the following to the Commission:
- (A) Application and appropriate fee.
- (B) A signed statement by the individual which includes:
- (i) Why the clear credential program was not completed in the five years while the preliminary credential was valid and a description of the plan to complete the requirements within the three year extension time period, and
- (ii) Certification that he or she was not employed in a position for which the clear credential program was available or was employed for less than one school year and was not able to complete the clear credential program.
- (f) Definitions:
- (1) The term "employing agency" as used in this section shall mean:
- (A) Public school districts in California.
- (B) County offices of education or county superintendents of schools in California.
- (C) Schools that operate under the direction of a California state agency.
- (D) Nonpublic, nonsectarian schools and agencies as defined in Education Code Sections 56365 and 56366.
- (E) Charter Schools as established in Education Code Section 47600.
- (F) Private schools.
- (G) Juvenile court school.
- (H) Juvenile or adult corrections.
- (2) A beginning teacher is one who is eligible to participate in a Commission-approved induction program.
- (3) The "clear credential program" as used in this section shall mean either completion of a Commission-approved induction program or Commission-accredited fifth year of study.

NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44227, 44251, 44252, 44259, 44259.5, 44280, 44281, 44283, 44310, ~~and~~ 44335, and 44373, Education Code.

**CALIFORNIA COMMISSION ON TEACHER CREDENTIALING**

Box 944270 (1900 Capitol Avenue)  
Sacramento, California 94244-2700



Attn: Terri H. Fesperman, CAW Division

**Title:** *Specific Requirements for Preliminary and Clear Multiple and Single Subject Teaching Credentials for Applicants Prepared in California*

**Section:** *Proposed Amendment of Section 80413*

**Response to the Attached Regulations**

To allow the California Commission on Teacher Credentialing to more clearly estimate the general field response to the attached regulations, please return this response form to the Commission office, attention Terri H. Fesperman, at the above address or fax to her attention at (916) 322-0048. The response must arrive at the Commission by 5:00 pm August 5, 2008, for the material to be presented at the August 8, 2008, public hearing.

- 1.  **Yes**, I agree with the proposed regulations. Please count me in favor of these regulations.
- 2.  **No**, I do not agree with the proposed regulations for the following reasons:  
(If additional space is needed, use the reverse of this sheet or additional page.)

- 3.  Personal opinion of the undersigned and/or
  - Organizational opinion representing: (Circle One)  
School District, County Schools, College/University, Professional Organization, Other \_\_\_\_\_

- 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.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Employer/Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

*Route to THF*

