

Division VIII of Title 5 of the California Code of Regulations

Proposed Addition of 5 California Code of Regulations §80033 Pertaining to Intern Teaching Credentials

Initial Statement of Reasons

Rationale for Proposed Regulations

Education Code section 44225 authorizes the Commission to adopt these proposed regulation amendments. The proposed amendments implement, interpret, and make specific Education Code sections 44325, 44326, 44452, 44453, 44454, 44455, 44461, 44464 and 44465.

This rulemaking action proposes the addition of §80033 to Title 5 of the California Code of Regulations pertaining to intern teaching credentials as approved by the Commission at the April 2013 meeting.

The Commission has historically relied on the provisions of the Education Code (EC) for the issuance of intern teaching credentials. The proposed addition of §80033 to Title 5 of the California Code of Regulations (CCR) is to clarify, interpret, and make specific the EC sections pertaining to intern teaching credentials and to implement recent policy decisions made by the Commission with respect to the English learner authorization and the support/mentoring and supervision of intern teachers.

At its March 2013 meeting, the Commission directed staff to consult with stakeholders to develop policy recommendations addressing a variety of issues pertaining to intern teaching credentials. The results of the stakeholder meeting that was held on March 21, 2013, the policy recommendations made by Commission staff, and draft regulatory language were presented to the Commission at the April 2013 meeting. Links to the April 2013 Commission agenda item 3C and the two agenda inserts are available in the *Documents Relied Upon* section on page 10.

The Commission issues two types of intern teaching credentials: university and district. The purpose of an intern teaching credential is to allow the holder to provide instructional services in California's public schools while simultaneously completing a Commission-approved teacher preparation program. Completion of an intern program results in the issuance of a preliminary teaching credential. Intern programs must meet the same Commission adopted program standards as other teacher preparation programs. Issuance of an intern teaching credential requires satisfaction of minimum requirements, enrollment in Commission-approved program based on the Standards of Program Quality and Effectiveness, and support/mentoring and supervision provided by the employer and program sponsor. Intern teaching credentials are available for multiple subject, single subject, and education specialist placements.

The Commission has issued university intern teaching credentials since 1967. The university intern programs are cooperative teaching programs between a college/university and an employing agency that are administered by the college/university. University intern programs

receive Commission approval and are then administered by the individual colleges and universities.

The Commission has issued district intern teaching credentials since 1982. District intern programs are an alternative route to teacher certification in California and are administered by employing agencies whose programs may or may not involve university coursework. District intern programs receive Commission approval and are then administered by the individual employing agency.

Summary of Proposed Amendments to Regulations

§80033. Intern Teaching Credentials.

Title: Proposes the title for 5 CCR §80033.

(a): Lists the available intern credential areas (multiple subject, single subject, and education specialist instruction) and prefaces the subsections that include the two types of intern teaching credentials.

(a)(1): Lists the university intern credential type referenced in EC §44452.

(a)(2): Lists the district intern credential type referenced in EC §44325.

(b): Prefaces subsection pertaining to support and supervision of intern teachers.

(b)(1): Clarifies that a Memorandum of Understanding must be in place between the program sponsor and the employing agency detailing the support and supervision that will be provided prior to an intern teacher assuming daily teaching responsibilities [reference EC §44326(d) for district intern credentials and EC §§44461 and 44465 for university intern credentials].

(b)(2): Requires counseling of the intern teacher and development of a plan to complete the program that must be provided to an intern teacher by an approved program sponsor in cooperation with the employing agency. The counseling and plan will ensure that the intern teacher is aware of all program requirements that must be completed during the term of the intern credential in order to qualify for the preliminary credential.

(b)(3): Clarifies that a mentor who possesses a valid corresponding credential must be assigned to an intern teacher before assuming daily teaching responsibilities [reference EC §44326(e) for district intern credentials and EC §44461 for university intern credentials]. Also requires the mentor to hold a clear or life teaching credential and have a minimum of three years of successful teaching experience as established by the Commission.

(b)(4): Clarifies the minimum yearly hours and types of support/mentoring and supervision to be provided to each intern teacher, includes a pro-rating formula for individuals who assume daily teaching responsibilities after the beginning of a school year, and establishes the minimum hours

of support/mentoring and supervision that will be provided to an intern teacher every five instructional days as established by the Commission at the April 2013 meeting.

Consensus was reached at the March 21, 2013 stakeholder meeting that intern teachers should receive, at a minimum, 15 hours of support/mentoring and supervision per month at a rate of between two and four hours per week. A California public school year consists of approximately 36 instructional weeks or nine months; therefore, the minimum yearly number of support/mentoring and supervision hours has been set at 144 hours by the Commission (36 weeks X 4 hours per week).

Intern teachers may assume daily teaching responsibilities at any time during a school year and the proposed language in this subsection includes a pro-rating formula for these teachers that requires four hours of support/mentoring and supervision for each remaining instructional week in the school year.

An intern teacher may require more or less than four hours of support/mentoring and supervision per week at different points in the program. This subsection also allows the intern teacher's employing agency and program sponsor flexibility as to the distribution of the 144 hours of support/mentoring and supervision over the school year. The minimum number of support/mentoring and supervision hours proposed in this subsection is two hours every five instructional days, with the understanding that the overall hours provided during a school year must equal at least 144 hours (or the pro-rated number of hours for individuals who assume daily teaching responsibilities after the beginning of the school year).

(b)(5): Prefaces the subsections that specify the additional support/mentoring and supervision that must be provided to an intern teacher who enters a program without a valid English learner or bilingual authorization as established by the Commission at the April 2013 meeting.

(b)(5)(A): Clarifies the minimum yearly hours and types of additional support/mentoring and supervision that must be provided to each intern teacher who enters the program without an English learner or bilingual authorization and includes a pro-rating formula for individuals who assume daily teaching responsibilities after the beginning of a school year.

At the March 21, 2013 stakeholder meeting, consensus was reached that intern teachers who have not completed preparation to teach English learners need five additional hours per month of focused support and supervision in that specific area. A California public school year consists of approximately 36 instructional weeks or nine months; therefore, the minimum number of additional yearly support/mentoring and supervision hours for intern teachers who have not completed preparation to teach English learners has been set at 45 hours by the Commission (9 months X 5 hours per month).

Intern teachers may assume daily teaching responsibilities at any time during a school year and the proposed language in this subsection includes a pro-rating formula for these teachers that requires five hours of additional support/mentoring and supervision for each remaining month in the school year.

An intern teacher may require more or less than five hours of additional support/mentoring and supervision per month related to the instruction of English learners at different points in the program. This subsection also includes language to allow the program sponsor and/or employing agency flexibility in the distribution of the additional hours as long as the intern teacher's development of knowledge and skills in the instruction of English learners is sufficiently supported.

(b)(5)(B): Requires the employing agency to identify an individual with an English learner authorization who will be immediately available to assist an intern teacher that enters the program without an English learner or bilingual authorization with the specified activities.

(b)(5)(C): Specifies that the additional support/mentoring and supervision described in subsections (b)(5)(A) and (b)(5)(B) is optional for an intern teacher who passes the California Teachers of English Learners (CTEL) examinations before or after issuance of an intern credential.

(c): Prefaces the subsections that list the minimum requirements for initial issuance of university and district intern credentials.

(c)(1): Clarifies the degree requirement specified in EC §44325(c)(1) for district intern credentials and EC §44453(a) for university intern credentials. Includes language stating that the degree cannot be in professional education as specified in EC §44259(b)(1) for multiple and single subject preparation programs. There is not similar EC language prohibiting an individual from earning an education specialist credential with a degree in professional education; however, Precondition 14 on page 5 of the *Education Specialist Teaching and Other Related Services Credential Program Standards* does state that issuance of an education specialist credential requires a bachelor's or higher degree other than in professional education.

(c)(2): Clarifies the basic skills requirement specified in EC §44325(c)(2) for district intern credentials. Demonstration of basic skills proficiency is not specifically listed in the EC for university intern credentials; however, EC §44252(b) prohibits the Commission from initially issuing a credential without satisfaction of the basic skills requirement.

(c)(3): Completion of a course or passage of an examination covering the provisions and principles of the U.S. Constitution are required by EC §44335 for issuance of all teaching credentials except part-time designated subjects teaching credentials. This subsection specifies the U.S. Constitution requirement for issuance of district and university intern credentials.

(c)(4): Prefaces the subsections that clarify the subject matter competence requirement for each university and district intern credential area as specified in EC §44325(c)(3) for district intern credentials and EC §44453(a) for university intern credentials.

(c)(4)(A): References 5 CCR §80413(a)(5)(A) that defines the subject matter competence requirement for multiple subject credentials.

(c)(4)(B): References 5 CCR §80413(a)(5)(B) that specifies the subject matter competence requirement for single subject credentials.

(c)(4)(C): References 5 CCR §80048.8(a)(4) that specifies the subject matter competence requirement for education specialist credentials.

(c)(5): Clarifies that enrollment in a Commission approved program is required for issuance of a university or district intern teaching credential and prefaces the subsections that incorporate the program standards by reference.

(c)(5)(A): Incorporates the approved program standards for multiple and single subject credential preparation programs that were revised in May 2013.

(c)(5)(B): Incorporates the approved program standards for education specialist instruction credential preparation programs that were revised in May 2013.

(c)(6): Clarifies that the intern preservice preparation included in the program standards incorporated by reference in (c)(5) must be completed prior to issuance of a university or district intern credential.

(c)(7): Specifies that submission of an application form, processing fee, and fingerprint clearance are required for issuance of a university or district intern credential and includes the relevant Title 5 references.

(c)(8): Requires recommendation from a Commission-approved program as specified in EC §44227(b).

(d): An intern teaching credential authorizes the holder to provide the specified instructional services while completing an approved teacher preparation program. Therefore, an intern teaching credential should only list the content/specialty area(s) or setting(s) for which the holder has not yet completed a Commission-approved program or the equivalent. This section prefaces the subsections that clarify when an English learner or bilingual authorization will be listed on an intern teaching credential.

(d)(1): It is possible for an individual to earn a general education teaching credential with an English learner authorization and then subsequently enroll in a special education intern program (or vice versa). It is also possible for the holder of a services credential, child development permit, or other appropriate prerequisite document to earn an English learner authorization by completing a Commission-approved CTEL program or passing the CTEL examinations. Per 5 CCR §80015.2(d), an English learner authorization may be used in conjunction with other valid prerequisite credentials or permits held by an individual. Proposes language clarifying that an English learner authorization will be listed on intern teaching credentials for applicants who do not possess one of the documents or authorizations referenced in subsections (d)(1)(A) through (d)(1)(C).

(d)(1)(A): Pursuant to EC §44259.5(a), individuals enrolled in Commission-approved multiple and single subject teacher preparation programs after July 1, 2002 are awarded an English learner authorization on their preliminary teaching credentials. Prior to July 1, 2002, a program sponsor had the option of embedding an English learner authorization in their approved general education programs, but was not required to do so.

The Commission adopted revised Education Specialist program standards in 2006 to embed English learner coursework that results in the issuance of a Level I or preliminary credential with an English learner authorization. Completion of an Education Specialist program with an embedded English learner authorization was not possible prior to 2006.

This subsection clarifies that an English learner authorization will not be listed on intern teaching credentials if the applicants hold a previously issued teaching credential with an English learner authorization.

(d)(1)(B): California prepared teachers who completed programs without an embedded English learner authorization, out-of-state/country prepared teachers, and individuals who hold other types of prerequisite documents may earn an English learner authorization or Crosscultural, Language and Academic Development (CLAD) Certificate as specified in 5 CCR §80015. This subsection clarifies that an English learner authorization will not be listed on intern teaching credentials if the applicants hold an English learner or CLAD Certificate issued pursuant to §80015.

(d)(1)(C): A bilingual authorization authorizes the holder to provide the same instructional services as an English learner authorization or CLAD Certificate, as well as content instruction and instruction for language development in the specified primary language [reference EC §44253.4(a)]. 5 CCR §80015.1 specifies the requirements for a bilingual authorization. This subsection clarifies that an English learner authorization will not be listed on intern teaching credentials if the applicants hold a bilingual authorization issued pursuant to §80015.1.

(d)(2): An individual with or without an English learner authorization listed on a previously issued document may enroll in a Commission-approved bilingual authorization program. In addition, the bilingual authorization program, "...may be completed at the same time as the initial preparation for the prerequisite credential or at a later date..." [reference EC §44253.4(b)]. This subsection clarifies that a bilingual authorization may be listed on intern teaching credentials if requested by a Commission-approved bilingual authorization program sponsor.

(e): Clarifies that university and district intern credentials will be restricted to service with the employing agency identified by the approved program sponsor at the time of recommendation.

(f): Prefaces the subsections that clarify the term (validity period) for university and district intern credentials.

(f)(1): Clarifies the term for all university and district intern credentials (except the education specialist instruction district intern credential) as specified in EC §44325(b) for district intern credentials and EC §44455 for university intern credentials.

(f)(2): Clarifies the term for the education specialist instruction district intern credential as specified in EC §44325(b). [*There currently are no approved program standards that allow an individual to simultaneously complete a multiple/single subject teaching credential and an education specialist instruction credential and the Commission has no plans to create such program standards. Therefore, the four year term for education specialist instruction credentials referenced in EC §44325(b) is not included in these proposed regulations.*]

(g): Prefaces the subsections that specify the authorizations for university and district intern credentials.

(g)(1): Specifies the statement that will be listed on all intern credentials (university and district) for transparency purposes to inform parents and the public that the holder of an intern credential has not yet completed a teacher preparation program in the specified content/specialty area(s) and setting(s). The statement also requires that the holder of an intern credential make satisfactory progress toward program completion for the duration of the intern credential (reference EC §44464 for university intern credentials; similar EC language for district intern credentials does not exist, but the same statement will be listed on district intern credentials for consistency, fairness, and transparency).

(g)(2): Prefaces the subsections that provide the grade level, setting, and/or content/specialty area authorizations for university intern credentials.

(g)(2)(A): EC §44454 pertaining to university intern credential authorizations reads, “An internship credential authorizes the same service at the same levels as the regular credential authorizes.” This subsection clarifies the grade level and setting authorizations for multiple subject university intern credentials.

(g)(2)(B): EC §44454 pertaining to university intern credential authorizations reads, “An internship credential authorizes the same service at the same levels as the regular credential authorizes.” This subsection clarifies the grade level and content area authorizations for single subject university intern credentials.

(g)(2)(C): EC §44454 pertaining to university intern credential authorizations reads, “An internship credential authorizes the same service at the same levels as the regular credential authorizes.” This subsection clarifies the grade level and specialty area authorizations for education specialist instruction university intern credentials.

(g)(2)(D): Proposed amendments to 5 CCR §§80003, 80004, and 80048.6 (reference OAL Notice File Number Z-2013-0416-07) will retain the Specially Designed Academic Instruction in English (SDAIE) authorization for multiple subject, single subject, and education specialist instruction credential holders. However, the proposed amendments will limit the authorization for providing English language development (ELD) instruction as follows:

- for multiple subject credential holders, to students in self-contained or core classroom settings;
- for single subject credential holders, to students in a departmentalized class in the content area(s) and grades authorized by the basic credential; and

- for education specialist instruction credential holders, to students with special needs in the full continuum of placement options indicated in the students’ Individual Education Program (IEP) and in alignment with the specialty areas authorized by the teacher’s credential and authorization(s).

This subsection provides EC references that define the SDAIE and ELD authorizations for university intern credentials and mirror the authorizations included in the proposed amendments described above to align with the language provided in EC §44454. This subsection also prefaces the subsections that clarify the SDAIE and ELD grade level, setting and/or content/specialty area authorization for each university intern credential area.

(g)(2)(D)1: Clarifies the English learner authorization for multiple subject university intern credentials.

(g)(2)(D)2: Clarifies the English learner authorization for single subject university intern credentials.

(g)(2)(D)3: Clarifies the English learner authorization for education specialist university intern credentials.

(g)(2)(E): This subsection provides EC references that define the bilingual authorization for university intern credentials and prefaces the subsections that clarify the bilingual authorization grade level, setting, and/or content/specialty area authorizations for each university intern credential area.

(g)(2)(E)1: Clarifies the bilingual authorization for multiple subject university intern credentials.

(g)(2)(E)2: Clarifies the bilingual authorization for single subject university intern credentials.

(g)(2)(E)3: Clarifies the bilingual authorization for education specialist university intern credentials.

(g)(3): Prefaces the subsections that clarify the grade level, setting, and/or content/specialty area authorizations for district intern credentials.

(g)(3)(A): Clarifies the grade level and setting authorizations for multiple subject district intern credentials as specified in EC §44326(b).

(g)(3)(B): Clarifies the grade level and content area(s) authorizations for single subject district intern credentials as specified in EC §44326(a).

(g)(3)(C): EC §44326 does not include language that restricts the education specialist instruction district intern credential authorization by grade level or specialty area. Therefore, education specialist instruction district intern credentials authorize the same service as the preliminary and clear credential. This subsection clarifies the grade level and specialty area authorizations for education specialist instruction district intern credentials.

(g)(3)(D): Proposed amendments to 5 CCR §§80003, 80004, and 80048.6 (reference OAL Notice File Number Z-2013-0416-07) will retain the Specially Designed Academic Instruction in English (SDAIE) authorization for multiple subject, single subject, and education specialist instruction credential holders. However, the proposed amendments will limit the authorization for providing English language development (ELD) instruction as follows:

- for multiple subject credential holders, to students in self-contained or core classroom settings;
- for single subject credential holders, to students in a departmentalized class in the content area(s) and grades authorized by the basic credential; and
- for education specialist instruction credential holders, to students with special needs in the full continuum of placement options indicated in the students' Individual Education Program (IEP) and in alignment with the specialty areas authorized by the teacher's credential and authorization(s).

This subsection provides EC references that define the SDAIE and ELD authorizations for district intern credentials that mirror the authorizations included in the proposed amendments described above [to the extent allowed by the authorization restrictions specified subsections (a) and (b) of EC §44326 for multiple and single subject district intern credentials]. This subsection also prefaces the subsections that clarify the SDAIE and ELD grade level, setting, and/or content/specialty area authorization for each district intern credential area.

(g)(3)(D)1: Clarifies the English learner authorization for multiple subject district intern credentials.

(g)(3)(D)2: Clarifies the English learner authorization for single subject district intern credentials.

(g)(3)(D)3: Clarifies the English learner authorization for education specialist district intern credentials.

(g)(3)(E): This subsection provides EC references that define the bilingual authorization for district intern credentials and prefaces the subsections that clarify the bilingual authorization grade level, setting, and/or content/specialty area authorizations for each district intern credential area.

(g)(3)(E)1: Clarifies the bilingual authorization for multiple subject district intern credentials as specified in EC §44326(b).

(g)(3)(E)2: Clarifies the bilingual authorization for single subject district intern credentials as specified in EC §44326(a).

(g)(3)(E)3: Clarifies the bilingual authorization for education specialist district intern credentials.

Note: Cites the relevant Education Code authority and references for the proposed addition of 5 CCR §80033.

Documents Incorporated by Reference:

Education Specialist Teaching and Other Related Services Credential Program Standards (rev. 5/13): <http://www.ctc.ca.gov/educator-prep/standards/Special-Education-Standards-2013.pdf>

SB 2042 Multiple Subject and Single Subject Preliminary Credential Program Standards (rev. 5/13): <http://www.ctc.ca.gov/educator-prep/standards/AdoptedPreparationStandards-2013.pdf>

Standards of Quality and Effectiveness for Programs Leading to Bilingual Authorization (rev. 1/13): <http://www.ctc.ca.gov/educator-prep/standards/Bilingual-Authorization-Handbook.pdf>

The Commission on Teacher Credentialing awards credentials and certificates on the basis of completion of programs that meet Standards for Educator Preparation and Educator Competence. For each type of professional credential in education, the Commission has developed and adopted standards which are based upon recent research and the expert advice of many professional educators. Each standard specifies a level of quality and effectiveness that the Commission requires from programs offering academic and professional preparation in education. There are different types of program standards.

Preconditions

Preconditions are requirements that must be met in order for an accrediting association or licensing agency to consider accrediting a program sponsor or approving its programs or schools. Some preconditions are based on state laws, while other preconditions are established by Commission policy. Preconditions can be found within each program’s standards document.

Common Standards

The Common Standards deal with aspects of program quality that cross all approved educator preparation programs. The institution responds to each Common Standard by providing pertinent information, including information about individual programs. When a new program is proposed, the institution submits a Common Standards Addendum to address how the new program will integrate with the already approved programs.

Educator Preparation Program Standards

Program standards address aspects of program quality and effectiveness that apply to each type of educator preparation program offered by a program sponsor. Program standards contain statements describing the nature and purpose of each standard and language that details the requirements that all approved programs must meet. Program sponsors must meet all applicable program standards before the program application may be approved by the Commission.

Documents Relied Upon in Preparing Regulations:

April 2013 Commission agenda item 3C and the two agenda inserts:

<http://www.ctc.ca.gov/commission/agendas/2013-04/2013-04-3C.pdf>

<http://www.ctc.ca.gov/commission/agendas/2013-04/2013-04-3C-insert.pdf>

<http://www.ctc.ca.gov/commission/agendas/2013-04/2013-04-3C-insert2.pdf>

Economic Impact Assessment/Analysis

Education Code section 44225 authorizes the Commission to adopt these proposed regulation amendments. The proposed amendments implement, interpret, and make specific Education Code sections 44325, 44326, 44452, 44453, 44454, 44455, 44461, 44464 and 44465.

The purpose of the proposed regulations amendments is to clarify and make specific the following as related to intern teaching credentials:

- types of available intern teaching credentials;
- support/mentoring and supervision requirements;
- minimum requirements for initial issuance;
- term and employer restriction; and
- authorization(s) for each intern teaching credential type, including the addition of an authorization statement for transparency purposes

In accordance with Government Code section 11346.3(b), the Commission has made the following assessments regarding the proposed regulation amendments:

Creation or Elimination of Jobs Within the State of California

The proposed amendments pertain to intern teaching credentials for California prepared teachers. Clarifying the requirements for and authorizations of intern teaching credentials will not create or eliminate jobs in California.

Creation of New or Elimination of Existing Businesses Within the State of California

The proposed amendments pertain to intern teaching credentials for California prepared teachers. Clarifying the requirements for and authorizations of intern teaching credentials will not create or eliminate existing businesses in California.

Expansion of Businesses or Elimination of Existing Businesses Within the State of California

The proposed amendments pertain to intern teaching credentials for California prepared teachers. Clarifying the requirements for and authorizations of intern teaching credentials will not cause the expansion or elimination of existing businesses in California.

Benefits of the Regulations

The Commission anticipates that the proposed amendments will benefit the welfare of students attending public schools in the State of California by ensuring that intern teachers meet the minimum requirements prior to assuming daily teaching responsibilities, receive adequate support/mentoring and supervision for the entire time they serve on an intern credential, and receive additional support/mentoring and supervision if they enter the program without a previously issued English learner authorization.

The proposed regulations will promote fairness and prevent discrimination by ensuring consistency as to the support/mentoring and supervision requirements, minimum requirements for initial issuance, and authorizations of intern teaching credentials. The proposed regulations will also increase openness and transparency in government through the inclusion of a statement on every intern teaching credential verifying that the holder has completed intern preservice preparation, is participating in an approved intern preparation program, must be supported by the

program sponsor and employer, and must make satisfactory progress toward program completion for the duration of the intern credential. The Commission does not anticipate that the proposed regulations will result in the protection of public health and safety, worker safety, or the environment, the prevention of social inequity or an increase in openness and transparency in business.

Consideration of Alternatives

In accordance with Government Code section 11346.5, subdivision (a)(13), the Commission must determine that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed, would be as effective as and less burdensome to affected private persons than the proposed actions, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. No alternatives have yet been proposed that will be less burdensome and equally effective.

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 §17500) of the Government Code.

Evidence Relied Upon to Support the Initial Determination That the Regulation Will Not Have a Significant Adverse Economic Impact on Business: The proposed regulations will not have a significant adverse economic impact upon business. The proposed regulations apply only to individuals applying for intern teaching credentials that authorize service in California's public schools.