Division VIII of Title 5 of the California Code of Regulations

Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Designated Subjects Special Subjects Teaching Credentials

Final Statement of Reasons

Public Problem
There is no change to the public problem information since the original submission of the Initial Statement of Reasons.

Purpose of Proposed Action
There is no change from the original purpose of the proposed action in the Initial Statement of Reasons.

Rationale for Proposed Regulations
The Commission on Teacher Credentialing (Commission) conducted a public hearing on February 14, 2014, regarding the proposed amendments to Title 5 of the California Code of Regulations, which pertain to Designated Subjects Special Subjects Teaching Credentials. The majority of the written responses received during the 45-day comment period and all of the oral comments presented at the public hearing regarding the proposed regulation amendments concerned the addition of the Special Teaching Authorization in Physical Education. Following the oral comments in support and in opposition of the proposed regulations from the public, and discussion among the members of the Commission, the Commission voted six to four to not adopt the proposed amendments to the regulation.

To enable enactment of the non-controversial general clean-up language in the proposed amendments, staff recommended that the Commission consider deletion of all proposed language related to the Special Teaching Authorization in Physical Education and approval of the remaining proposed general clean-up amendments. This recommendation was approved by the Commission. A 15-Day Notice was distributed on February 26, 2014 regarding the modifications to the proposed regulation amendments. The 15-Day Notice period began on February 27, 2014 and ended on March 13, 2014.

The Commission received nine responses to the 15-Day Notice (four from organizations and five from individuals) regarding the modifications to the proposed amendments. The nine responses included written comments requesting the restoration of the originally proposed language concerning the Special Teaching Authorization in Physical Education. The modifications to the proposed amendments and the nine responses in regard to the modifications were presented to the Commission as an Action item at the April 2014 meeting with the following possible options for Commission consideration:

A. Approve the modifications to the proposed regulation amendments; or
B. Restore the language pertaining to the Special Teaching Authorization in Physical Education

The Commission received 54 letters in support of the proposed modifications included in the 15-Day Notice dated February 26, 2014 after the close of the noticed comment period. Those letters were provided to all members of the Commission prior to the April 10, 2014 Commission meeting as a courtesy and are included in the record. However, the late letters do not require a summary or response [reference Government Code §11347.3(b)(6)].

Oral comments from the public in support and in opposition of the modifications to the proposed regulation amendments were presented at the April 10, 2014 meeting. The discussion by members of the Commission following oral presentations clarified several potential misunderstandings related to the Special Teaching Authorization in Physical Education as follows:

1) The Commission does not have the authority to decide if Junior Reserve Officer Training Corps (JROTC) or Basic Military Drill (BMD) courses may be awarded high school graduation credit in the area of Physical Education. The authority to designate ROTC and/or BMD courses as eligible for high school graduation credit in Physical Education rests with governing boards of California local education agencies as provided in Education Code section 51225.3(b);
2) The proposed authorization would allow ROTC and BMD credential holders to demonstrate a higher level of preparation (by satisfying California's basic skills requirement and verification of subject matter competence in Physical Education) and have that preparation recognized on their credentials through issuance of the Special Teaching Authorization;
3) The proposed authorization would serve as an incentive for ROTC and BMD credential holders to become better prepared to teach Physical Education in the context of a JROTC or BMD course, if such a course is approved for PE credit by a local governing board.

With clarification of the issues outlined above, the Commission voted to restore the language related to the Special Teaching Authorization in Physical Education to the proposed regulation amendments, with additional language added to the authorization statement as recommended by Ken Burt, representing the California Teachers Association, during the 45-day written comment period.

Pursuant to the requirements of Government Code section 11346.8(c), a second 15-Day Notice was distributed on April 28, 2014 regarding the modifications to restore the language pertaining to the Special Teaching Authorization in Physical Education to the amendments proposed for Title 5 of the California Code of Regulations section 80037. The second 15-Day Notice period began on April 29, 2014, and ended on May 13, 2014. The *Frequently Asked Questions, Proposed Special Teaching Authorization in Physical Education (PE), Designated Subjects Special Subjects (DSSS) in Reserve Officers Training Corps (ROTC) and Basic Military Drill (BMD)* created by staff to further clarify the proposed Special Teaching Authorization in Physical Education was distributed with the Notice.

At the June 2014 Commission meeting, the Commission approved the addition of the *Frequently Asked Questions, Proposed Special Teaching Authorization in Physical Education (PE), Designated Subjects Special Subjects (DSSS) in Reserve Officers Training Corps (ROTC) and Basic Military Drill (BMD)* to the rulemaking file and the modifications to the proposed

regulation amendments to Title 5 of the California Code of Regulations section 80037 for the submission of the regulations to Office of Administrative Law for final review.

Non-Substantive Modifications to the Proposed Regulations
(e)(3): Modifications to this subsection add language, as recommended by Ken Burt on behalf of the California Teachers Association, to clarify that the authorization will not compel local employing agencies to grant high school graduation credit in physical education pursuant to Education Code section 51225.3(b).

Consideration of Alternatives
The Commission has determined 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 or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. Other than requests to delete the language pertaining to the Special Teaching Authorization in Physical Education (refer to the "Rationale for Proposed Regulations beginning on page 1), no alternatives to the proposed regulations were identified or brought to the attention of the Commission. In addition, the proposed regulations will not create an economic or fiscal impact (refer to the STD 399 form in Tab 9 of Binder 1).

Mandated Costs
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.

Documents Incorporated by Reference:
Pursuant to 1 CCR §20(c)(1), the Commission requests that the program standards document not be printed in the code. The program standards document includes 56 pages and publishing the incorporated document would be cumbersome, unduly expensive, and otherwise impractical. The program standards document is available on the Commission's website as follows:

Standards of Quality and Effectiveness for Career/Technical Education Teachers (rev. 5/09): http://www.ctc.ca.gov/educator-prep/standards/CTE-Handbook.pdf

Written and Oral Responses
The Commission received the following written responses to the public announcement during the 45-day comment period:

Support	***Opposition***
0 organizational opinions	5 organizational opinions
213 personal opinions*	179 personal opinions*

Total Responses: 375*

*The Commission received nine illegible signatures on personal opinions in support of the proposed regulations and several personal opposition letters had multiple signatures (13 additional signatures). Therefore, the total number of personal opinions in support has been

increased by nine and the number of personal opinions in opposition has been increased by 13 since publication of the original 1H agenda item.

Written Responses Representing Organizations in Support: None.

Written Responses Representing Individuals in Support:

1. Ruby Aispuro, Citizen
2. Susana Albanes, Citizen
3. Keith P. Alexander, Citizen
4. Carlos Alvarez, Citizen
5. Carina Amezcua, Citizen
6. Ceilia Amezcua, Citizen
7. Ernesto Amezcua, Citizen
8. Lelani Amezcua, Citizen
9. Roberto Amezcua, Citizen
10. Kelly Anderlik, Citizen
11. Pahola Angeles, Citizen
12. David Anguiano, Citizen
13. Domingo Anguiano, Citizen
14. Jonathan Anguiano, Citizen
15. Andrea Arellano
16. Lorina Avalos, Student
17. Ermando Barajos, Citizen
18. Destanee Barbely, Citizen
19. Michelle Barbely, Citizen
20. Carlos Caballeno, Citizen
21. Ismael Campos, Citizen
22. Jessica Campos, Citizen
23. Alex Carcamo, Citizen
24. Cecilia Cazares, Citizen
25. Elisa Cazares, Citizen
26. Gilberto Cazares, Jr., Citizen
27. Jose Cazares, Citizen
28. Luis Cazares, Citizen
29. Rosalind Cazares, Citizen
30. Stephanie Cazares, Citizen
31. Tanya Cazares, Citizen
32. Jeremy Chavez, Citizen
33. Jesus Christ, Citizen

34. Liane Cismowski, Principal, Mt. Diablo Unified School District
Comment: As the principal of a comprehensive high school, I strongly support the CTC proposed amendment to Title Five of the California Code of Regulations pertaining to designated subjects special subjects teaching credential EC 51225.3 to establish a Special Teaching Authorization in Physical Education for credentialed teachers of Basic Military Drill (BMD) and Junior Reserve Officer Training Corps (ROTC.)

The JROTC program provides an excellent alternative to traditional physical education programs. It is a proven successful model with many schools and school districts throughout the nation and the state of California already granting PE credit for JROTC classes. Because JROTC meets the same physical activity requirements mandated by the state for a PE program, the Commission's decision to grant a special PE teaching authorization to JROTC credentialed teachers will further legitimize this already-accepted practice.

The special PE teaching authorization will give our academy students more options in their high school experience. We are a wall-to-wall academy model school, which limits the number and type of electives a student can take. If JROTC counts for PE credits, it will provide flexibility in the schedules of students who want to take JROTC but cannot due to state- and academy-mandated graduation requirements. Another constraint is that a large majority of our students are required to take remedial classes in order to pass the High School Exit Exam and their requisite math and English classes. An additional benefit will be to help alleviate overcrowding in traditional PE classes.

Thank you for your proposal to recognize the experience, training, and qualifications of BMD and ROTC teachers. I would like to register my enthusiastic support of this amendment.

35. Dion Clark, Citizen/San Bernardino City Unified School District
36. Karen Contreras, Citizen
37. Jose Antonio Cornelio, Citizen
38. Kimberly Cornide, Citizen
39. Chris Cottone, Citizen
40. Megan Crilly, Citizen
41. Rob Cutbirth, Citizen
42. Kichion Darby
43. Brittney Davis Fox, Citizen
44. Shawn De Jesus, Citizen
45. Bertha Del Rio, Citizen
46. June Del Rio, Citizen
47. Raeline De Maio, Citizen
48. Trishauna Doering, Teacher, The Charter School of San Diego
49. Rachel Esparanza, Citizen
50. Alexander Espinoza
51. Alexis Espinoza
52. Miguel Esquivel
53. Griselda Flores, Citizen
54. Mariza Flores, Citizen
55. James Franco, Citizen
56. Adam Garcia, Citizen
57. Andrea Garcia, Citizen
58. Gabriela Garcia, Citizen
59. Jonathan Garcia, Citizen
60. Nicole Garcia, Citizen
61. Roger Garcia, Citizen
62. Jose Garibay, Citizen
63. Rariela Garibay, Citizen
64. Corine Gillum, Citizen
65. Courtney Gillum, Citizen
66. Jeff Gillum, Citizen
67. Lorie Gillum, Citizen
68. Marley Gillum, Citizen
69. Reyando Gomez, Citizen
70. Bianca Gonsalez, Citizen
71. Francisco, Gonzalez, Citizen
72. Eduardo Gracio, Citizen
73. Robert Grant, Citizen

74. Candace Grantham
Comment: Please accept my opinion that as a Veteran and a California Credentialed teacher, I disagree with the CTA opposing the PE endorsement on the JROTC credential. I believe and have experienced that any student who enters JROTC is interested in the Military way, and is benefited by focusing on military rather than CCSS in PE. The state of California needs diversify the approach to all curriculum to better meet the needs of our students. Please move forward with the new endorsement.

75. Alexis Guerra, Citizen
76. Marisol Guerrero, Citizen
77. Travis Gutierrez, Citizen
78. Emilio Julian Guzman, Citizen
79. Enrique Hernandez, Citizen
80. Israel Hernandez, Citizen
81. Ivan Hernandez, Citizen
82. Deysi Hernandez, Citizen
83. Maria Hernandez
84. Skylar Higgins, Citizen
85. Margarita Hipolito, Citizen
86. Jennifer Hunt, Citizen
87. Illegible Name, Citizen
88. Illegible Name, Citizen
89. Illegible Name, Citizen
90. Illegible Name, Citizen
91. Illegible Name, Citizen
92. Illegible Name, Citizen
93. Illegible Name, Citizen
94. Illegible Name, Citizen
95. Illegible Name, Citizen
96. John Jackson, Citizen
97. Vickie Jarvis, Citizen
98. Daniel Jimenez, Citizen
99. Hwa Dam Jo, Citizen
100. Antijuan Johnson, Citizen

101. Jake Johnson, Citizen
102. William G. Jones, Citizen
103. Emanuel Juarez, San Gorgonia High School
104. Nathan Juarez, San Gorgonia High School
105. Shannon King
106. Luis Kosoney, Citizen
107. Jared Lewis, Citizen
108. Brianna Linares, Citizen
109. Mizael Lizarraga, Citizen
110. Geovanni Lopez, Citizen
111. Jose Antonio Lopez, Citizen
112. Josephine Lopez, Citizen
113. Luis Lopez, Citizen
114. George Lucas, Citizen
115. Airyana Rubie Luna, Citizen
116. Alexander Luna, Citizen
117. Lori Lundblad, Citizen
118. Iris Madariaga, Citizen
119. Elizabeth Martinez, Citizen
120. Alejandro Maya, Citizen
121. Maria G. Maya, Citizen
122. Christopher Mayorga, Citizen
123. Steven Mayorga
124. Jazmine Mc Coy, citizen
125. Aiden Mears, Citizen
126. Marian Mears, Citizen
127. Giovanni Mendez, Citizen
128. Jennifer Mercacls, Citizen
129. Toni L. Miller, Principal, San Bernardino City Unified School District, Cajon High School
130. Luis Monarrez
131. Gerardo Monreal, Citizen
132. Violeta Montes, Citizen
133. Miguel Morales, Citizen

134. Heather Morelli, Student Services Coordinator, Mt. Diablo High School
Comment: Good Morning, I have been working at Mt. Diablo High School this year and I have observed the ROTC program extensively. I support the amendment to California Code Regulation 80037 to allow our ROTC instructors the opportunity to earn a credential in Physical Education based on the rigor of the program. Students are actively completing physical training to meet military standards as well as accomplish skills in drills for competitions. Our instructors maintain an excellent program that I fully support so that students may earn physical education credits as an option if needed. Thank you for your consideration.

135. Lilian Mulato, Citizen
136. Liliana Mulato, Citizen
137. Christopher L. Nelson, Citizen
138. Richie Nguyen, Citizen
139. Kenya Norwood, Citizen
140. Jonathan Ortiz, Citizen
141. Mark Otele
142. Andrew Pena, Citizen
143. Cecilia Pena, Citizen
144. Ivan Pena, Citizen
145. Jocelyn Pena, Citizen
146. Reymundo Pena, Jr., Citizen
147. Veronica Perez, Citizen
148. Trevor Philips, Citizen
149. Charles B. Pister, Citizen
150. Jesse Portillo, Citizen
151. Guillermo Post, Citizen
152. Rosemary Preciado, Citizen
153. Elisbeth Ramirez, Citizen
154. Monica Ramirez, Citizen
155. Valeria Ramirez, Citizen
156. Virginia Ramirez, Citizen
157. Karina Ramos, Citizen
158. Adrian Reyes, Citizen
159. Alberto Reyes, Citizen
160. Alejandro Reyes, Citizen
161. Hector Reyes, Citizen
162. Leslie Reyes, Citizen
163. Lizbeth Reyes, Citizen
164. Roberto Reyes, Citizen
165. Rosalinda Reyes, Citizen
166. Veronica Reyes, Citizen
167. Wendy Reyes, Citizen
168. Michelle Reygoza, Citizen

169. Ariana Rivera, Citizen
170. Edgardo Rodriguez, Citizen
171. Nikkie Rodriguez, Citizen
172. Manuel Romero, Citizen
173. Elizabeth Ruiz, Citizen
174. Michael G. Russ, Citizen
175. Jesus Sanchez
176. Mario Sanchez, Jr., Citizen
177. Breanna Sanderson, Citizen
178. Michael Sanderson, Citizen
179. Roxane L. Sanderson, Citizen
180. Indelisa Sandoval, Citizen
181. Maria V. Santos, Citizen
182. Sonya Scheffer, Citizen
183. Johanna Seigal, Citizen
184. Matthew Shadoan, Citizen
185. Joshua Slough, Citizen
186. Sandie Sluka, Citizen
187. Cassandra Smith, Parent/Social Worker, California Cadet Corps
188. Jim O. Smith, Citizen
189. Michael J. Smith, Parent/Fire Chief, California Cadet Corps
190. Yasmeen Smith, Citizen
191. Eric Sosa, Citizen
192. Katlyn Sosa, Citizen
193. Shannon Sosa, Citizen
194. Mark Sprague, Citizen
195. Adrianna Stacy, Citizen
196. Irene Sumanpour, Citizen

197. Christian D. Taddeo, Sr. Army Instructor
Comment: I strongly support the CTC proposal to establish a Special Teaching Authorization in Physical Education for credentialed teachers of Basic Military Drill (BMD) and Junior Reserve Officer Training Corps (JROTC.)

The JROTC program provides an excellent alternative to traditional physical education programs. It's a proven successful model with many schools and school districts throughout the nation and the state of California already granting PE credit for JROTC classes. Because JROTC meets the same physical activity requirements mandated by the State for PE programs, the Commission's decision to grant a special PE teaching authorization to JROTC credentialed teachers will further legitimize this already-accepted practice.

The most important impact the special PE teaching authorization will have is to give academy students more options in their high school class schedules. Today, the all-academy high school model severely limits the number and type of electives a student can take. If JROTC counts for PE credits, it will provide flexibility in the schedules of students who want to take JROTC but can't due to state- and academy-mandated graduation requirements. An additional benefit will be to help alleviate overcrowding in traditional PE classes.

Thank you for your proposal to recognize the experience, training, and qualifications of BMD and JROTC teachers; it will give us the authorization we need to help students get the most out of their high school experience.

198. Katherine Teo, Citizen
199. Odalys Tomes, Citizen
200. Yvannah Torres Reyes, Citizen
201. Michael Townly, Citizen
202. German Valdes, Citizen
203. Jose Valdez, Citizen
204. Kenia Valencia, Citizen
205. Gabriel Vega, Citizen
206. Xittelly Vega, Citizen
207. Vanessa Villa, Citizen
208. Juanita Vixie, Citizen
209. Cyairra White, Citizen

210. Dennis Whittaker, Citizen
211. Tanzinia Willis, Citizen
212. Matt Wooding, Citizen
213. Ben Yanez, Citizen

Written Responses Representing Organizations in Opposition:

1. Nancy Carr, Secretary/Board Member, California Center for Excellence in Physical Education
   Comment: I write in reference to the Public Hearing scheduled on the February 14, 2014 California Commission on Teacher Credentialing Meeting.

   This rulemaking proposes to establish a special teaching authorization in physical education for those holding the Designated Subjects Special Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

   We urge your careful consideration of this proposal and a "no" vote based on the following:

   Physical Education and JROTC Are Not Equivalent Courses
   The *Physical Education Content Standards for California Public Schools K-12* communicate the academic rigor of physical education, articulate rich learning expectations, and provide guidance in the development of high school physical education courses that fulfill both the expectations and the requirements of California public policy. Additionally, physical education has embraced its role in the shared responsibility for student literacy in the Common Core State Standards.

   JROTC course content is often specific to the sponsoring branch of the military and instructor background and experience, rather than State Board of Education adopted content standards. Programs typically provide students with specialized learning opportunities in military history, basic military training, citizenship, leadership, physical fitness, survival skills, and first aid.

   The only like between physical education and JROTC may be with physical activity. However, when the stated outcomes are examined, the similarities are so distant and the differences so overt that nearly any K-12 content area would find a similar number of connections.

   Pre Service Preparation is Essential for High Quality Instruction
   The content of physical education is based in exercise physiology, biomechanics, motor development, motor learning, motor control, and the psychology and sociology of physical activity. Firmly founded in the sciences, effective instruction in physical education is dependent on the teachers *(sic)* content knowledge in both biological and physical sciences. This rule making action seeks to grant authorization to individuals who are not required to have a science based background or even an undergraduate degree. Should this proposal be accepted, I believe holders of the Designated Subjects Special Subjects Teaching Credentials would be the only teachers of mandated K-12 courses in California without university degrees. Unacceptable!

Historical and Current Perspectives

Supporters of JROTC have long sought a home in schools, and in recent years have made numerous, unsuccessful attempts to have JROTC courses classified as physical education courses. Their efforts include: changes to the Education Code via the legislative process, meetings with key leadership staff at the California Department of Education; applications for waivers from the State Board of Education, and now, they seek to have credentialing authorizations changed.

In September 2013, when CCTC first considered this proposal, the public spoke loud and clear, with the greatest majority of letters received by the Commission opposing this action. Further, the rationale provided in the documentation for the rulemaking process includes some rationale that needs clarification for accuracy. These include:

- *Current basic military drill and physical fitness training activities associated with Basic Military Drill and JROTC courses may include instruction in some or all of the required eight content areas.* California statute and regulation require all high school students to receive instruction in each of the eight content areas, not just some. The *Physical Education Model Content Standards for California Public Schools, K-12,* outline a course model to accomplish this and JROTC is not included in the model.
- *Alternate ways of meeting the requirements for physical education as outlined in ED 51225.3.* This section of the Education Code is clear in encouraging local school district stakeholders "to adopt alternate means for pupils to complete the prescribed course of study". There is no language included in this section of the Education Code that encourages or permits substitutions for the course of study. JROTC is a substitution for physical education as presented here, and as it is currently delivered in schools
- *Physical Education is an integral component in all branches of the military.* Physical activity and physical fitness are certainly valued by all branches of the military. However, physical education takes place only in schools and is built on the philosophy of motor skill development, knowledge of how one learns movement skills, assessment of personal physical fitness, knowledge of physical fitness, and the psychological and sociological factors related to physical activity.
- *A review of the 49 other states revealed that there are currently 9 states that allow JROTC courses to satisfy the physical education graduation requirement.* Nine of forty nine does not indicate a national trend. Further, of those nine, six states include permissive language, rather than mandated course language. In addition, the question before the Commission is not a question related to course credit policy, rather teacher credentialing. Is course credit within the purview of the Commission?

While we must acknowledge that JROTC courses do serve the interests of many of our students, they are not courses of physical education, nor are they taught by well qualified physical education teachers who can meet our student's significant needs to be physical educated.

A blended course of JROTC and physical education cannot be delivered with fidelity. The challenges presented in allocating instructional time, teacher expertise, and meeting student learning outcomes are always in favor of one content area and do not provide enough of the other to be acceptable.

A decision by the Commission to add the physical education authorization to the Designated Subjects Special Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps would only meet the needs of those interested in increasing the number of JROTC programs in our schools – a worthy goal. However, California students continue to demonstrate their significant needs for high quality physical education opportunities, let's work together to meet those needs.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth, motor development, the sociology and psychology of human movement, knowledge of evaluation methods used for the various domains of learning in physical education (e.g., physical, psychomotor, cognitive, social, affective), basic strategies of test construction, evaluation and administration, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

An undergraduate degree in science is not required for the holder of a Single Subject Credential in Physical Education. Because a bachelor's degree is not a requirement for the ROTC or BMD Credential, it is unclear how many may hold a bachelor's degree.

Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill

and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. This is a permissive section of the Education Code. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

2. Rick Jahnkow, Project on Youth and Non-military Opportunities, Project Coordinator
   Comment: We are writing to express several concerns about the proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps. We urge you to either reject the proposal or, at a minimum, delay any action to allow adequate time for the commission to hear further comments and consider aspects of the issue that are not addressed in the commission's statement of reasons for the proposes change.

   We would like to raise just two aspects that need full consideration:

   1. It appears that the commission did not do a detailed inspection of actual Junior ROTC textbooks and other course material for relevancy. It would be illogical to formally authorize JROTC instructors to teach physical education without first determining whether the curriculum for which they are trained contains the necessary elements required to meet standards for teaching physical education. Our organization has been reviewing JROTC instructional material for the last two decades, and we believe that it contains very little content relevant to the state's standards for teaching physical education.

   2. The commission should consider the fact that the JROTC course that is taught by instructors under the Designated Subjects Teaching Credential fails to meet the Education Code's standards for physical activity in PE classes. Substantial JROTC class time is spent delving into topics like history, writing, philosophical issues, social studies, military values and customs, military ranks and insignia, marksmanship training with pellet rifles and other topics that do not relate to physical education and involve no physical activity to speak of. The general standard for the amount of time spent in physical activity in a PE course is specified as 400 minutes every 10 school days, or <u>40 minutes per day</u>, in the California Education Code (subdivision (a) of section 51222). This would require the entire timespan of an average daily class, which is simply not possible under the JROTC curriculum.

We believe that the commission has not had the benefit of a full analysis that looks at the quality and content of teaching that takes place in physical education versus basic drill and JROTC, and therefore we respectfully ask that the proposed change be rejected.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth, motor development, the sociology and psychology of human movement, knowledge of evaluation methods used for the various domains of learning in physical education (e.g., physical, psychomotor, cognitive, social, affective), basic strategies of test construction, evaluation and administration, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic healt*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

3. Stephen McNeil, American Friends Service Committee-West Regional Office, Director
   Comment: I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:
   - The *Physical Education Content Standards for California Public Schools, K-12* affirm that participation in physical activity is not the same as education. JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education.
   - Approving the physical education authorization would in essence, give CTC's "blessing" for a blended course that cannot be delivered with fidelity. The content and learning outcomes for physical education and JROTC are not the same. Sufficient time must be devoted to the learning process for students to learn the content of physical education.
   - Physical education is a science based academic discipline. Effective teachers of physical education have strong undergraduate foundations in biological and physical sciences. This proposal does not require that foundation for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

   In addition, in 2009 when discussing this possibility with physical education instructors in San Francisco, those I spoke with could not see that the physical education requirements of the State would be met by JROTC instructors. I see this move as a way to provide cover for continuation of JROTC instruction in the schools, not as a way to meet the physical education requirements of the students.

   Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

   1) *the effects of physical activity upon dynamic health;*
   2) *the mechanics of body movement;*
   3) *aquatics;*
   4) *gymnastics and tumbling;*
   5) *individual and dual sports;*
   6) *rhythms and dance;*
   7) *team sports; and*
   8) *combatives.*

   The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.
One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

4. Normandie Nigh, A World Fit For Kids, CEO/A World Fit For Kids!
Comment: As the CEO of A World Fit for Kids! Who has been working closely with elementary through high school students in Los Angeles for the past twenty years, I'm writing in regards to the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps **should not be approved** for the following reasons:

- The *Physical Education Content Standards for California Public Schools, K-12* affirm that participation in physical activity is not the same as education. JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education.

- Approving the physical education authorization would in essence, give CTC's "blessing" for a blended course that cannot be delivered with fidelity. The content and learning outcomes for physical education and JROTC are not the same. Sufficient time must be devoted to the learning process for students to learn the content of physical education.

- Physical education is a science based academic discipline. Effective physical education teachers have strong undergraduate foundations in biological and physical sciences. This proposal does not require that foundation for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school*

physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

5. Gale Wideow, PH.D., American Alliance for Health, Physical Education, Recreation, and Dance, President
   Comment: On behalf of the children of California, the American Alliance for Health, Physical Education, Recreation and Dance (AAHPERD) urges the California Commission on Teacher Credentialing (CCTC) **NOT** to approve amendments to Title 5 of the California Code of Regulations pertaining to establishing a Special Teaching Authorization in Physical Education for holders of Designated Subjects Special Subjects Teaching Credential (JROTC and Basic Military Drill).
   For California's children to become healthy physically active adults, physical education needs to be an essential and integral component of their total education. That necessitates highly qualified physical education teachers who deliver a standards-based curriculum to assist the children in adopting and maintaining healthy lifestyles. Highly qualified physical education teachers possess the skills and knowledge to facilitate improved teaching practices, strengthen the quality of physical education instruction, and empower students to achieve and maintain healthy lifestyles.

   As such AAHPERD acknowledges that highly qualified physical education teachers will be certified to teach by virtue of having completed an accredited physical education teacher education program.

   Highly qualified physical education teachers also:
   - Understand the importance of meeting the needs of all types of learners
   - Establish high expectations for learning within the psychomotor, cognitive and affective domains
   - View assessment as an integral component of the teaching-learning process
   - Demonstrate professionalism and ethical behaviors
   - Constantly seek to update and refine their professional credentials.

   California students deserve highly qualified physical education teachers. Again I urge you **NOT** to approve amendments to Title 5. Thank you for your attention.

   Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth, motor development, the sociology and psychology of human movement, knowledge of evaluation methods used for the various domains of learning in physical education (e.g., physical, psychomotor, cognitive, social, affective), basic strategies of test construction, evaluation and administration, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

   The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill

and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.
The decision by a Local Education Agency (LEA) to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

There is currently no statutory renewal requirement for professional growth for teaching and services credentials. That responsibility is left to the local employing agency.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

Written Responses Representing Individuals in Opposition:

1. Farnaz Bakhshi
2. Marianne Cadiz, Resident of Los Angeles
3. Linda Cameron, Resident of Los Angeles
4. Laura Chandler
5. Monica Chang, Resident of Los Angeles
6. Debra Cram, Resident of Los Angeles
7. Kelly A. Dumke, Resident of Los Angeles
8. Sean E.
9. Jocelyn Estiandan, Resident of Cerritos
10. Chad Fenwick, Resident of Chatsworth
11. Vanesa D. Garcia, Resident of Los Angeles
12. M. Ryan Hardy, Resident of Los Angeles
13. Melissa T. Hardy, Resident of San Diego
14. Denise Hoppal, Resident of Porter Ranch
15. Jasmine L. Klintong, Resident of Los Angeles
16. Josefina Mendoza, Parent
17. Lindsay Obello
18. Leigh Poirier, Resident of Irvine
19. Andy C. Remedios, Resident of Los Angeles

20. Carol Sun
21. Stephanie Tafoya
22. Grace E. Tan, Resident of Los Angeles
23. John Paul M. Tan, Resident of San Diego
24. Raymond Tan, Resident of Porter Ranch
25. Sora Park Tanjasiri, Resident of Irvine
26. Rose Veneracion, Resident of Los Angeles
27. Victoria Williams, Resident of Los Angeles
28. Amanda L. Wilson, Resident of San Diego

Comments from the letters signed by Commenters 1-28:

I'm writing you to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:

1. Physical Activity is not the same as Physical Education, as affirmed in the *Physical Education Content Standards for California Public Schools, K-12.* Physical activity is a small part of the academic subject Physical Education, just as writing the alphabet is a small part of Reading, or adding and subtracting is a small part of Mathematics.
   - JROTC has different goals and outcomes than Physical Education and is focused on participation in physical activity rather than learning the content of physical education.
   - Take Driver's Education as an example, not only do youth need to "physically" practice driving on the road and behind the wheel, but youth need to be "educated" on the laws and rules of the road so that they can put that into action when they are driving behind the wheel. A parallel idea goes with youth needing quality standards-based physical education- they can practice these skills learned in physical education and apply them in physical activity opportunities in sports, recess, and in school.

2. Approving the physical education authorization would in essence, give CCTC's "blessing" for a blended course that cannot be delivered with fidelity. The content and learning outcomes for physical education and JROTC are not the same. Sufficient time must be devoted to the learning process for students to learn the content of physical education.

3. Physical education is a science based academic discipline. Effective teachers of physical education have strong undergraduate foundations in biological and physical sciences. This proposal does not require that foundation for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential.

Response: *1. Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools.* EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

2. One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

3. An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject matter knowledge requirement includes content in kinesiology, the science of human movement, growth/motor development, and

knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

29. Suzanne M. Acampora, Adapted Physical Education Specialist
30. Michael S. Adler, Physical Education Teacher
31. Michelle Agius, Physical Education Teacher
32. Paul Alvarez, Professor of Kinesiology, University of La Verne
33. Christina Amoroso, Physical Education Teacher
34. Lindsey Barber, Education Specialist
35. Patricia L. Beall, Physical Education Teacher
36. Mary Blackman, Retired Physical Education Coordinator
37. Mary Boston, Physical Educator
38. Heather Brabo, Physical Education Teacher
39. Jeannette C. Brittain-Smith, Physical Education Teacher
40. Kevin Butler, Teacher and Concerned Citizen
41. Brandon Chrest, Physical Education Student
42. Michelle Cohen, Teacher
43. Sharon Cohen, Retired Teacher
44. Brian Collins, Physical Education Teacher and Coach
45. Mark Cordano, Physical Education Teacher
46. Jesus De Rosas, Physical Education Teacher
47. Howard Edelman, Physical Education Instructor
48. Ron Ehrhard, Adapted Physical Education Specialist
49. Patricia Fegan, Teacher
50. Maani Fenwick, Parent
51. Carrie Flint, Elementary and Adapted Physical Education Specialist
52. Joshua Garza, Resident of Madera
53. Amy Gazzaniga, Physical Education Program Specialist
54. Gary Ghirardi, Resident of Poway
55. Michael A. Godfrey, Resident of Granada Hills
56. Zachary E. Groothuyzen, Kinesiology Student
57. Dawn Gustafson, Adapted Physical Education Specialist
58. Jennifer Harris, Physical Education Teacher
59. Heather Harrison, Physical Education Teacher
60. Betty Hennessy, Retired Director, Los Angeles County Office of Education
61. Samantha Hernandez, Kinesiology Student
62. Patricia P. Huato
63. Cassie Inglis, Chief Operations Officer, Coreva Health Science
64. Grant Kapigian, Kinesiology Student
65. Nick Kaprelian
66. Tami Kittle, Physical Educator
67. Dianne Laderas, Resident of San Jose
68. Kelly Lapachet
69. Mickey Leiding, Adapted Physical Education Specialist
70. Haley Marcoux, Physical Education Teacher
71. Gina Mitskus, Physical Education Teacher and Coach
72. Ursula Ng, Nutrition Specialist, Nutrition Education Obesity Prevention
73. Stacie Nixon, Physical Education Specialist
74. Dustin Nygaard, Physical Education Teacher
75. Holli J. Omori, Physical Education Teacher
76. Christina Owens, Adapted Physical Education Specialist
77. Donna Pattillo, Physical Education Teacher and Dept. Chair
78. William E. Perkins, Resident of Pacific Palisades
79. Tom Reed, Resident of Waterford, CA

80. Alicia Reyes-Flores, Physical Education Major
81. Michael Riggs, Teacher/Athletic Director
82. Josh Santiesteban, Resident of Campbell
83. Nathan Severin, Physical Education Teacher
84. Kevin Slauson, Physical Education Teacher
85. Frank Solis, Physical Education Teacher
86. Wendy Stratton, Physical Education Teacher
87. Brian E. Sturges
88. Tami Taylor, Physical Education Teacher
89. Adair Louise Tench, Retired Physical Education and English Teacher
90. Jean Varden, Health Educator and Director of School Age Programs
91. Joanie Verderber, Physical Education, Recreation, and Dance
92. Dr. Perky Vetter, Chair, Dept. of Kinesioloy and Health Promotion, Cal Poly University, Pomona
93. Kelly A. Walters, Physical Education Teacher
94. Keith Wells, Physical Education Teacher
95. Mary White, Physical Education Teacher
96. Emyr Williams, Professor of Physical Education Teacher Education, Kinesiology Dept., CSU, Long Beach
97. Sandra Sunshine Williams
98. BJ Williston, The SPARKS Program
99. Terry A. With, Physical Education Teacher

Comments from Commenters 29-99:

I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:

- The Physical Education Content Standards for California Public Schools, K-12 affirm that participation in physical activity is not the same as education. JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education.
- Approving the physical education authorization would in essence, give CTC's "blessing" for a blended course that cannot be delivered with fidelity. The content and learning outcomes for physical education and JROTC are not the same. Sufficient time must be devoted to the learning process for students to learn the content of physical education.
- Physical education is a science based academic discipline. Effective teachers of physical education have strong undergraduate foundations in biological and physical sciences. This proposal does not require that foundation for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential.

Response: 1. Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

2. One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

3. An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject matter knowledge requirement includes content in kinesiology, the science of human movement, growth/motor development, and

knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

100. Brandon Acutt, Physical Education Option, Kinesiology Department, CSU Northridge
101. Bryan Katz, Physical Education Option, Kinesiology Department, CSU Northridge
102. Kathy Navarro, Physical Education Option, Kinesiology Department, CSU Northridge

Comments from Commenters 100-102:

We are writing to you today because of the proposal stating that military employees (Military Science and JROTC) would be able to teach physical education without having a physical education degree. All of us being in the physical education program at CSUN feel that this makes no sense. After taking many hours of classes here at CSUN we are still developing the full picture of what it means to be a physical education teacher, we feel that military employees would not be suited to teach physical education. There are so many levels to physical education that go beyond the basic level of knowledge that military personal *(sic)* have.

We feel that not only do military personal *(sic)* not have the proper training, but also it is wasting all of the university and credential students' time that are majoring in physical education. Military personal *(sic)* have a different orientation because of the training they have received, and unlike CSUN students who have learned not only to include physical activity to enhance students' health but the cognitive understanding of physical education as well. With guided questioning, students will take a lot more from the physical side and really understand why they are doing physical activities.

It is our passion to shape the lives of our students through physical education. We have dedicated a portion of our lives to learn the proper protocols towards changing the lives of our students. Through various unique techniques we not only have the confidence but the proper knowledge to touch, shape, and change lives in the physical education environment. Military personal *(sic)* do not have the background nor the knowledge when it comes to teaching physical education and have no right to teach a standards based subject which we have worked so hard to learn.

Response: Subsection (b) of EC §44225 requires the Commission to reduce and streamline the credential system to ensure teacher competence in the subject field or fields while allowing greater flexibility in staffing local schools and subsection (g) to establish alternative methods for entry into the teaching profession and into other certificated roles in the schools by persons in varying circumstances.

Education Code (EC) §33352, under the authority of the California Department of Education (CDE), establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC §51220(d) and EC §33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*

3) aquatics;
4) gymnastics and tumbling;
5) individual and dual sports;
6) rhythms and dance;
7) team sports; and
8) combatives.

The employing agency must ensure that the physical education course taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC §33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.

The proposed Special Teaching Authorization in Physical Education requires satisfaction of California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will be limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

The Commission has issued 779 Reserve Officer Training Corps (ROTC) and Basic Military Drill (BMD) in the last five years. One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The decision by the Local Education Agency (LEA) to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

103. Evelyn Avidla, Physical Education Option Student, Deparment of Kinesiology, CSU Northridge
104. Sevag Zakarian, Physical Education Option Student, Deparment of Kinesiology, CSU Northridge
105. Ronald Villar, Physical Education Option Student, Deparment of Kinesiology, CSU Northridge

Comments from Commenters 103-105:

To Whom It May Concern: Please vote NO on the proposal to allow JROTC to teach physical education in schools. Although these individuals have specific skills they do not have the proper academic foundation or meet the standards of the degree(s) needed as required by the requirements established by the California and National Standards for

beginning teachers. There should be no exception to this, regardless of an individual's previously held position in a different line of work. Doing so would only set a precedence for other unqualified individuals to teach any subject in schools, affecting the education of students due to a decrease in the quality of teaching.

Physical Education is more than seeing how many push-ups someone can do or how fast s/he can run from point A to point B. It teaches students the necessary skills needed to participate in a variety of activities and the benefits that come with being active, which in turn leads them to not only enjoy physical activity, but value it enough to incorporate it into their everyday lives. Physical Education allows every student to be creative and integrated in a victimless environment; it is not a cookie cutter program that fits every student, each of who have different needs and motives.

Allowing JROTC to teach in schools will turn away more students from daily exercise than it will bring in, in addition to missing out on the education portion of physical activity. Instead students will be taught in a boot camp style classroom that forces them to perform certain exercises or movements that they may not know how to do or do so correctly, putting them in an uncomfortable and vulnerable position where they may not want to continue any further. More so, this would take away the jobs of more qualified individuals, those who have received the proper education and tools they need to be effective physical educators. The next wave of talented physical educators is soon to graduate, but if this proposal passes they will be out of jobs before they even have the opportunity to show what they know and can teach.

Vote NO on this proposal and keep quality teachers teaching Physical Education to be fun, educational, and core to a child's public school education.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

106. Diane Baker

Comment: Dear Commission on Teacher Credentialing, I urge you not to approve new regulations that would sanction the teaching of physical education by JROTC instructors. I am certain that the JROTC staff is physically fit and eager to impart beliefs and dedication to physical training to students enrolled in JROTC classes in high school. I am equally certain that these instructors will not know the depth and breadth of physical education. Various academic disciplines underlie physical education. These include: motor learning, kinesiology, biomechanics, the psychology of motivation, theory of group dynamics, and human growth and development. In addition, preparation for teaching physical education requires teachers to know fundamental motor skills, specific sport skills and the tactics and strategies involved in invasion (example – soccer), court (example – volleyball) and field (example – softball) games.

I applaud the JROTC instructors for their knowledge of fitness and military skills. This knowledge does not qualify them to be physical education teachers in California, unless they complete the required coursework, or demonstrate their knowledge of the disciplines of physical education by passing a rigorous exam.

I write this as a retired elementary physical education teacher, who is still learning from new research in my field.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in EC *§33352(b)(7). The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.*

107. John Bartelt, Professor of Education, University of La Verne
Comment: Dear Dr. Darling-Hammond, PLEASE DO NOT amend Title 5 to establish a special Physical Education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

First of all, the JROTC's drills *do not in any way equate* to the Physical Education Content Standards.

Of equal importance to me personally, *military-related activity has NO business in K-12 schools*, and this amendment would constitute an indirect opening for military recruitment. It's bad enough that NCLB contained a provision to share student contact information with military recruiters. Please do not make the mistake of allowing the military (which I served in) to be *any* part of our education system.

Thanks for your thoughtful consideration to preserve the integrity of both CCTC and CCSS.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in

physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7).

108. Robin Branch
Comment: To Whom It May Concern:
I'm writing to express my concern to allowing JROTC to have the ability to teach PE w/o a Physical Education credential. I had to work full time and attend school full time in order to complete my PE credential. I'm pleased to have my credential and full time employment in Los Angeles. I believe we still have displaced PE teachers, in our district who are already fully credential and ready for employment.
Response: The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

109. Lee Brown, Professor- Strength and Conditioning, Director, Center for Sport Performance, CSU Fullerton, Department of Kinesiology
Comment: To Whom It May Concern: I urge you to vote NO on amendments to Title 5 of the California Code of Regulations pertaining to Designated Subjects Special Subjects Teaching Credentials. The amendment would establish a Special Teaching Authorization in Physical Education for holders of Designated Subjects Special Subjects Teaching Credentials (JROTC and Basic Military Drill).

Response: No comment.

110. Craig Buschner, Professor of Kinesiology, CSU Chico, Former President of the National Association of Sport & Physical Education (NASPE)

Comments: Please consider my point of view regarding CCTC action, scheduled for consideration on February 14, 2014.

The proposal to amend Title 5 to authorize for special physical education authorization **"should be rejected".**
My arguments follow:

1. Quality school physical education and JROTC have different short and long-term goals. Physical "education" is designed to help *all children and youth* to become physically active for life. This requires *education* versus *training* and necessitates the achievement of state and national standards for learning that include the cognitive, affective and motor domains (CAHPERD & NASPE). Required school physical education, with certified/credentialed teachers, prepares literate movers for a lifetime of healthy living. JROTC is focused upon physical training and the preparation of future military personnel. These are very different purposes and require different levels of *teacher* versus *drill master* expertise.

2. School physical education is based upon the academic discipline of kinesiology. Credentialed teachers must have a body of knowledge that includes anatomy, physiology, biomechanics, exercise physiology, motor learning, motor development, psych-social aspects of learning, and pedagogy. The proposal fails to insure this foundational knowledge by JROTC instructors that is so essential for children and youth.

3. One-third of children and youth in the United States are inactive and overweight. California's children (especially urban youth, low SES, and females) are in need of quality physical education learning experiences K-12. We need to educate our youth to learn: motor skills, understand scientific concepts of movement, become physically active on a daily basis, develop personal and social responsibility, and value lifelong participation. Physical education is much more that getting kids physically fit. JROTC is a limited program for a small percentage of youth who desire military training. Physical fitness is only one part of military training and leadership.

4. *Physical education is based on a sequence of learning. Physical education classes focus on physical activity—running, dancing and other movement but physical education also includes health, nutrition, social responsibility and the value of fitness throughout one's life (SON, 2012).

5. *Research shows a link between quality physical education and present and future physical activity participation. One possible reason for this link is that youth "choose to participate in physical activities if they have skills that enable them to participate. Through physical education courses—instruction and specific, constructive feedback is provided by a certified teacher. (SON, 2012).

6. *Research shows that daily physical education has a positive correlation with academic performance and attitude toward school. This may be simply because physically fit

students have better school attendance records and fewer disciplinary referrals. But recent research indicates that physical activity might impact academic performance "through a variety of direct and indirect physiological, cognitive, emotional and learning mechanisms".

7. *Public Support for Physical Education
   - The American Academy of Pediatrics, NASPE, the AHA, the U.S. Department of Health and Human Services (HHS), the U.S. Department of Education, the President's Council on Physical Fitness and Sport, and the Centers for Disease Control and Prevention (CDC) all are on record as supporting the need for physical activity for youth and for quality PE.
   - Some 31% of physical education teachers perceive increased interest and support from parents regarding students' physical activity; and 27% perceive increased interest/support from parents regarding students' PE.
   - According to one survey, nearly all parents (95%) think that regular daily physical activity helps children do better academically and should be part of a school curriculum for all students in grades K-12.
   - Three out of four parents (76%) think that more school physical education could help control or prevent childhood obesity.
   - The majority of parents believe that physical education is at least as important as other academic subjects. The percentages range from 54% to 84%, depending on the subject being compared.
   - A survey report from the Harvard Health Forum indicates that 91% of parents surveyed feel that there should be more physical education in schools, particularly for fighting obesity.

8. This proposal is misguided and ill conceived. It is not in the "best interests" of children and youth in California or the nation. Please **"do not approve"** the proposal.

Thank you for the opportunity to respond and share the viewpoint of the majority of dedicated professional educators in the nation and in California. If further information is needed please call or e-mail.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of Reserve Officer Training Corps (ROTC) and Basic Military Drill (BMD). The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve. A student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years.*

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

111. Virginia Foster Chadwick, Professor Emerita of Kinesiology, CSU Fresno
Comment: Dear T. Duggan, I am appalled that the Commission on Teacher Credentialing is considering approving JROTC as physical education. The goals of Military Drill and the National and State Standards for Physical Education are diametrically opposed.

Physical education directs students toward a lifetime of physical activity and health related outcomes. Military drill's purpose is to create soldiers fit for combat. While there is some vague overlap in the area of health related fitness, the methods used to obtain fitness by the military involve, domination, and the use of exercise as punishment. Clearly this is not an instructional method that promotes lifetime activity. When the drill instructor is removed from the individual's life, many individuals do not have the knowledge or motivation to continue a lifetime of physical activity.

The most disturbing part of this potential to add JROTC drill instructors to the ranks of physical educators is the US Military's record on sexual harassment. Recent evidence shows that women, and homosexual individuals suffer psychological humiliation, physical duress, and non-consensual sexual violence from their fellow

service members and officers. These crimes against one's person need to be prevented. To begin this horrendous practice in our schools does not protect our children from harm. This is utterly inconsistent with educational goals.

Physical Educators are trained in child development, age appropriate fitness, and the conscientious ones are lifetime learners that attend relevant conferences such as the American and California Association for Health Physical Education Recreation and Dance to keep up on best practices. The proposal lacks the proper training and follow up required to promote our children's health and welfare.

As a 38 year physical educator and teacher trainer, **I VEHEMENTLY OPPOSE APPROVING THIS ACTION!**

Thank you for your consideration in this matter.

Response: *The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.*

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

Comments concerning the military and sexual harassment do not pertain to this public hearing.

112. Janet Clark, Physical Education Teacher, Abraham Lincoln High School
Comment: Dear Dr. Darling-Hammond, I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special Physical Education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps ***should not be approved*** for the following reasons:

Over the last several years, I have had many amazing Physical Education Student Teachers. These new teachers go through 4 years of college and then a year of observation/teaching at various schools. They spend their time and hard earned money to earn their degrees and credential. After getting their degrees, they look for work in their subject area of Physical Education and have a hard time being placed in schools (mostly due to budget cuts eliminating positions in California districts). Most of these new teachers take out loans and by the end of their schooling, many of them owe thousands of dollars for their education to become teachers.

Is it really fair to hand out a free authorization to others who haven't done their educational requirements for a different subject area? Is it fair to us Physical Education teachers who have fought over the years to keep quality Physical Education in the schools? If it were the reverse, would Physical Education teachers be allowed a special authorization to teach ROTC? To be completely honest, I would not be qualified.

The situation with JROTC has been going on for more than 4 years; involving the PE Independent Study program, having JROTC instructors credentialed, allowing only 1 JROTC supervisor to supervise two school sites with up to 200 students. Every year, it's something new. More exceptions, amendments continue to be made. It's not right.

I'm hopeful that the Credentialing Commission can whole-heartedly agree that the right thing to do is to not approved this special authorization

I appreciate your consideration of what I have said here and hope that it is read. Thank you.

Response: *The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD). One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

113. Bruce Coulter, Professor Emeritus, Cal Poly Pomona, Instructor, CSUSB
Comment: ROTC instructors should not received *(sic)* a teaching credential that would allow them to teach Physical Education. They are trained to lead "physical exercises" that improve fitness and that's all. Physical Education is not the same as physical fitness. Read

the Calif. Framework and Model Content Standards. ROTC does not meet the goals and objectives of Physical Education.

Please do not allow ROTC instructors to teach Physical Education. P.E. is NOT physical training!! It's physical education; emphasis on students obtaining SKILLS, KNOWLEDGE AND ATTITUDES about the value of physical activity as it relates to one's health. ROTC understands fitness "training" not "education".

Response: *Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools.* EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

114. Nancy Cruz
Comment: Dear Dr. Darling-Hammond, I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The **proposal to amend Title 5** to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps **should not be approved** for the following reasons:
The Physical Education Content Standards for California Public Schools, K-12 affirm that participation in physical activity is not the same as education. JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education.
The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential.

Response: *The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

115. Kenneth Dyar, Director of Physical Education and After School Programs, Delano Union School District
Comment: Dear Dr. Darling-Hammond, I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:

The Physical Education Content Standards for California Public Schools, K-12 affirm that participation in physical activity is not the same as education. JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education.

Approving the physical education authorization would in essence, give CTC's "blessing" for a blended course that cannot be delivered with fidelity. The content and learning outcomes for physical education and JROTC are not the same. Sufficient time must be devoted to the learning process for students to learn the content of physical education.

Physical education is a science based academic discipline. Effective teachers of physical education have strong undergraduate foundations in biological and physical sciences. This proposal does not require that foundation for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

As a veteran California Teacher of the Year (2006), I have dedicated myself to developing quality physical education programs within my own district, city, and across the state. The research connecting quality movement education experiences and increased student academic achievement is clear. With that in mind, the CCTC should dedicate itself to strengthening the quality of physical educators employed in our schools, thereby strengthening the quality of the Physical Education experience for our young people who are in desperate need of such learning.

The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is*

the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

116. Rusmir Dzidic, Concerned Education Supporter and Future Physical Education Teacher
117. Jacob Mailes, Concerned Education Supporter and Future Physical Education Teacher

Comments from Commenters 116 and 117:

To: California Commission on Teacher Credentialing, If this proposal gets passed as a state we will be headed in a destructive direction. This would do more harm, than good, that is why we are against passing this amendment. Not only would this be detrimental to our children having individuals not trained in appropriate standards based physical education content and pedagogical skills, it also take away jobs and is disrespectful to current and future physical educators. Current physical education option students are studying hundreds of hours going to school to get the proper knowledge and education to be better prepared to help our children thrive. In general, when people love what they do, they tend to do a better job than others. This would be taking away from those who have sacrificed so much to be able to give the children superior physical education content, and be giving it to people

who specialize in military training. Physical Education is not military training and it is more than an emphasis on calisthenics and a limited focus on physical fitness.

Every student should have the opportunity to be a part of quality physical education programs. It is the role of these programs to help students develop health-related fitness, physical competence in movement activities, cognitive understanding, and positive attitudes toward physical activity so that they can adopt healthy and physically active lifestyles. How are children supposed to get adequate education when their teachers are being replaced with people who specialize in military training and drills? The Answer is simple, Vote "No".

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The Commission has issued 779 Reserve Officer Training Corps (ROTC) and Basic Military Drill (BMD) in the last five years. The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

118. Morgan Elizabeth
Comment: Dear Dr. Darling-Hammond, I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:

- JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education. The instructors who hold Designated Subjects teacher credentials, do not have any academic background, nor pedagogy training to support their success in physical education.

- The military approach to physical activity is based on military task readiness rather than a lifetime of physical activity for all phases of good health. As a senior citizen, I know first-hand of the benefits of knowing how to plan and carry out ones physical activity program at all stages of life. The military does not address this important need.

The people of California depend on governmental agencies such as the CCTC to make decisions that will provide our children with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC does not accomplish this goal. Please do not approve these proposed regulations.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

119. Jenelle N. Gilbert, Ph.D., CC-AASP, Professor, Graduate Program Coordinator, CSU Fresno, Department of Kinesiology
Comment: Dear Dr. Darling-Hammond: I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should NOT be approved.
The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will NOT prepare our students to achieve their highest potential. This will result in negative outcomes for everyone.

Again, please vote NO. Thank you.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

120. Marilyn Goodman
Comment: I wish to urge you NOT to amend Title 5 to authorize JROTC instructors to teach P.E. This action makes a mockery of physical education, an area vital to our youth today.

As a former language teacher, the health of our too sedentary youngsters is vital, and physical education is often the only real exercise they get. Don't approve JROTC teachers, who are interested in military activities not the physical health of our young people, teaching what they are not trained for.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

121. Morgan Graham
Comment: I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:

- The *Physical Education Content Standards for California Public Schools, K-12* present the learning that is to take place in physical education, not just participation in physical

activity. JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education. As a young professional, I've found that what I learned in physical education is significantly important in helping me with my physical activity program as an adult. The "do it because I said to" approach of participating in physical activity is not helpful to people. JROTC is a valuable course for some students; it is not the same as physical education.

- Effective teachers of physical education have strong undergraduate foundations in biological and physical sciences. This rulemaking action before you does not require the holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps even hold an undergraduate degree. The only teachers in our state that do not. How can we allow that kind of policy?

The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our high school students to achieve their highest potential.

Response: Because a bachelor's degree is not a requirement for the ROTC or BMD Credential, it is unclear how many may hold a bachelor's degree. The American Indian Languages Credential issued by the Commission does not require a bachelor's degree. An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education.

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

122. Corey Hamashita, CSU Northridge, Kinesiology Department, Physical Education Option Student
123. Evan Stanoff, CSU Northridge, Kinesiology Department, Physical Education Option Student
124. Lucy Ekmekchian, CSU Northridge, Kinesiology Department, Physical Education Option Student

Comments from Commenters 122-124:

Over the past few days the proposal to amend Title 5 of the California Code of Regulations pertaining to Designated Subjects Special Subjects Teaching Credentials has been brought to the attention of the Kinesiology students at California State Northridge (CSUN). As

future physical education teachers we would like to voice our opinion on this proposal in hopes that you reconsider amending Title 5.

Over the past five years we have worked hard towards earning a degree in Kinesiology, Physical Education at CSUN and have taken many core classes in science, kinesiology, and the teaching aspect of physical education. In that time we have come to understand that physical education and the philosophy behind teaching physical education is a core subject, supported by both California and National Physical Education Standards. We feel that these standards in Physical Education must come from trained/certified physical educators such as those of us graduating from an accredited single-subject program at CSUN. At CSUN we have spent time in the classroom, laboratory, and in the field which have helped prepare us for the long journey to not only better physical education but to have an impact on student's lives. We feel our background in science/kinesiology and pedagogy, and the new philosophy on teaching physical education, as well as and our understanding of physical education curriculum, our future students will understand why it is important to be healthy and how they themselves can contribute to maintaining a long, healthy life with the skills, knowledge and physical activities found only in effective standards based physical education taught by credentialed physical educators.

Physical education is a core subject that will affect a student's life even after they graduate or move on and we as teachers can change the life expectancy of our students. We feel we must look beyond the traditional methods of just playing sports and running a mile and instead show our students the various types of physical activities that are creative and can be done outside of the school setting. We also believe that we must teach our students how to plan, assess, and analyze physical activity so that they can participate in activities for the rest of their lives not only because they want to, but because they are capable and confident.

Though we have nothing but the up most respect for the military and the physical activities that prepare our soldiers for duty, we feel that military based physical activity should not be a part of physical education but instead its own subject of special interest. Military physical activity helps students and soldiers prepare for the tremendous task of being in the military whereas in physical education we feel it should be about teaching students about the many types of physical activities and giving students the knowledge to be a competent mover throughout their life.

By allowing men and women to teach physical education with no background in physical education content, kinesiology, and pedagogy you would set back the progress that many physical educators have made in changing the public's and legislator's views of what physical education is. We ask you to give future physical education teachers the opportunity to enhance physical education and help create lifelong skills for our students by making sure that those who are given teaching credentials in physical education are well prepared, have a grasp of the curriculum, and offer more than one type of physical activity.

We thank you for your time.

Response: Subsection (b) of EC §44225 requires the Commission to reduce and streamline the credential system to ensure teacher competence in the subject field or fields while allowing greater flexibility in staffing local schools and subsection (g) to establish alternative methods for entry into the teaching profession, and into other certificated roles in the schools, by persons in varying circumstances.

Education Code (EC) §33352, under the authority of the California Department of Education (CDE), establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC §51220(d) and EC §33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The employing agency must ensure that the physical education course taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education requires satisfaction of California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will be limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The decision by the Local Education Agency (LEA) to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

125. Tim Hamel

Comment: JROTC and Physical Education ...this is a total slap in the face for those students who invest in the process of obtaining a specific degree in Physical Education. Physical Education does not need a military mentality.

Response: A degree in physical education is not required for the Single Subject Credential in physical education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

126. Lori Harrison, Coach, Yucaipa High School Physical Education

Comment: Dear Dr. Darling-Hammond: I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should NOT BE APPROVED for the following reasons:

The Physical Education Content Standards for California Public Schools, K-12 affirm that participation in physical activity is not the same as education. JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education.

Approving the physical education authorization would in essence, give CTC's "blessing" for a blended course that cannot be delivered with fidelity. The content and learning outcomes for physical education and JROTC are not the same. Sufficient time must be devoted to the learning process for students to learn the content of physical education.

Physical education is a science based academic discipline. Effective teachers of physical education have strong undergraduate foundations in biological and physical scien ces. This proposal does not require that foundation for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential.

Current basic military drill and physical fitness training activities associated with Basic Military Drill and JROTC courses may include instruction in some or all of the required eight content areas.

Basic Military Drill and JROTC courses have objectives that are vastly different than the objectives for physical education. While physical fitness is indeed a component of JROTC coursework, the learning of skills, knowledge, and dispositions required to be physically active across the lifespan are absent in the JROTC curriculum. We have never seen a course that meets the objectives of JROTC AND physical education and includes all eight content areas.

Alternate ways of meeting the requirements for physical education as outlined in EC51225.3 JROTC is NOT an alternate way of meeting the requirements for physical education as outlined in EC 51225.3. This section of the code does not provide for an exchange of content, rather a modification in instructional strategies. JROTC does not provide students the opportunity to learn the content in the Physical Education Content Standards for California Public Schools.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

127. Janice L. Herring, M.S., full-time lecturer, CSU Stanislaus

Comment: I'm writing to express my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credential in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:

1. The *Physical Education Framework* and the *Physical Education Content Standards for California Public Schools, K-12* affirm that participation in physical activity is not the same as education. These documents were created through by the expertise of seasoned physical educators and physical education teacher education faculty. JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education.

2. Approving the physical education authorization would in essence, give CTC's "blessing" for a blended course that cannot be delivered with fidelity. The content and learning outcomes for physical education and JROTC are not the same. Sufficient time must be devoted to the learning process for students to learn the content of physical education.
3. Physical education is a science based academic discipline. Effective teachers of physical education have strong undergraduate foundations in biological and physical sciences. The proposal does not require that foundation for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

4. The content of physical education encompasses the integration of four learning domains: psychomotor, health-related physical fitness, affective, and cognitive, in an integrated, developmentally appropriate sequence. Highly qualified physical educators who have completed the subject-matter program and multiple or single subject credentialing in the state of California spend a minimum of five years of their lives preparing to offer well-rounded physical education curriculum, with a primary goal of nurturing lifelong health-related fitness, sport participation, and physical activity practices of the students whom they teach. JROTC content has a very narrow focus for military service preparation which does not foster the development of a well-rounded physical educated individual.

5. The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential. Given that many school districts have weakened physical education instruction by allowing class numbers exceeding 45 students, don't further erode the potential for highly qualified physical educators to impact students through this ill-advised authorization.

Response:1, 3, 4 and 5) An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

2) Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC §51220(d) and EC §33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:

1) the effects of physical activity upon dynamic health;
2) the mechanics of body movement;
3) aquatics;
4) gymnastics and tumbling;
5) individual and dual sports;
6) rhythms and dance;
7) team sports; and
8) combatives.

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight

areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC §33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

128. Joseph E. Herzog
Comment: Dear Sir: As an educator of nearly fifty years and the father of three children, I wish to tell you that I am unalterably opposed to the proposal which would allow JR ROTC instructors to teach Physical Education. With all due respect to JR ROTC instructors they are simply not qualified to deliver instruction in a varied and diverse curriculum in which they have not properly been trained. The proposed training is wholly inadequate for them to deliver proper quality instruction. Such an action would do a serious dis-service to the children we serve.

JR ROTC focuses almost exclusively on physical fitness which makes up only 17% of the physical education curriculum. The California Education Code provides for a wealth of specific areas in which instruction in physical education is to be delivered. You and I know, in reality, that JR ROTC will NOT meet these requirements and that our children will be short changed in their education in a most serious fashion.

I urge you and the CTC to reject the proposal that would allow for JR ROTC instructors to teach physical education.. Doing so is in the best interest of the students of the State of California.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education

instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

129. Pat Howell, Senior Vice President-Financial Advisor, The Howell/Contrestano Group, RBC Wealth Management, LLC, Consulting Group
Comment: Please stop trying to put Jr. ROTC teachers in the PE Dept. in schools. They only teach 17% of the PE curriculum standards. There are teachers that are much more in tune with teaching students in PE.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*

2) the mechanics of body movement;
3) aquatics;
4) gymnastics and tumbling;
5) individual and dual sports;
6) rhythms and dance;
7) team sports; and
8) combatives.

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

130. Arlene Inouye, Speech Therapist, LAUSD
Comment: PE standards must be upheld, JROTC must meet these qualifications uniformly across the state. Thank you

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) the effects of physical activity upon dynamic health;
2) the mechanics of body movement;
3) aquatics;
4) gymnastics and tumbling;
5) individual and dual sports;
6) rhythms and dance;
7) team sports; and
8) combatives.

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight

areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

131. Barbara Johannes, Retired Career Education
Comment: Dear California Commission on Teacher Credentialing; I urge a 'NO" vote on the changes in Title 5 Regulations, allowing JROTC military instructors this special credential because it is against the best interest of the students in California, please check the data from Dr. Thomas McKenzie and others showing that JROTC only meets a small portion of any regular physical education class. The read Dr. John Ratey's book SPARK to show how physical education can improve all of a schools scores. He reports on a Learning Readiness Physical Education class to improve the schools, Turning any portion of physical education over to JROTC is heading in the wrong direction.
Thank you,

Response: The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The LEA has full discretion of how their course of study is presented over the four year to include the eight areas of EC section 33352(b)(7).

132. Keith Johannes-Cahir, CAHPERD Legislative Committee
Comment: I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:

• The *Physical Education Content Standards for California Public Schools, K-12* affirm that participation in physical activity is not the same as education. ***This is another devaluation of the field and discipline of physical education.***

• Approving the physical education authorization would in essence, give CTC's "blessing" for a blended course that cannot be delivered with fidelity. ***Great strides have been made the past decade advancing the quality of physical education with a rigorous Framework and Standards, This action would undermine the continuing efforts to enhance the 'health and safety' of California students.***

• Physical education is a science based academic discipline. Effective teachers of physical education have strong undergraduate foundations in biological and physical sciences. This proposal does not require that foundation for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential.

I do hope you are aware of the anger and frustration of the physical educators, that have been working hard to improve their content knowledge and teaching skills, will experience if this action is continued. What other required course has had their teachers devalued and undermined in this manner?

The legislature has previously rejected the 'end run' *tactics* of JROTC that the CTC is now considering. Please do not move forward with this change that undermines physical education in California.

Attachment to letter from Commenter #132:
Publish abstract to be presented at the AAHPERD National Convention in April 2014. The entire article is currently under review for publication.

Title: Using SOFIT to Compare High School Physical Education and JROTC

Authors: Monica A.F. Lounsbery, Kathryn A. Holt, Thomas L. McKenzie, & Shannon A. Monnat

Background/Purpose: Physical education (PE) is important for engaging students in health-enhancing physical activity (PA) and for developing physical fitness and movement skills. PE is mandated as a curricular area in all 50 states, but may policy barriers to its effective delivery exist. Among these policy barriers is the practice of allowing alternative programs, such as Junior Officer Reserve Corp (JROTC), to substitute for PE in high schools. Advocates supporting substitution policies typically argue that these alternative programs engage students in substantial amounts of PA and provide the content that meets PE

standards. Data supporting these arguments are not yet forthcoming. Therefore, the purpose of this study was to assess the conduct of PE and a commonly substitution program (JROTC) using direct observation.

Method: Two observers, trained via a standardized protocol, employed a validated and frequently used instrument, SOFIT (System for Observing Fitness Instruction Time), to assess student physical activity levels and the lesson contexts of 38 PE and 38 JROTC classes in 4 high schools. The schools were randomly selected from 12 district schools that provided both PE and JROTC. Data were analyzed using two-tailed t-tests.

Anylysis/Results: Inter-observer reliabilities exceeded 90% for both student activity and lesson context variables. Students engaged in relatively more time in Walking (49 vs. 19%; p<.001), Vigorous (11 vs. 4%; p<.001), and Moderate-to-Vigorous PA (61 vs. 23%; p<.001) in PE than during JROTC. Conversely, they spent significantly less time Sitting (17 vs. 47%; p<.001), Standing, (22 vs. 30%; p<.05), and engaged in sedentary behavior (39 vs. 77% p</001). Relative to lesson context, management time for both programs were similar (about 31% of lessons), but PE teachers allocated significantly more time for physical fitness (20 vs. 9%; p<.05) and game play (30 vs. 5%; p<.001) and teachers of JROTC lessons allocated significantly more time for knowledge (38 vs. 6%; p<.001). Knowledge time during PE primarily focused on physical fitness, motor skill development, and game strategy concepts. In contrast, most knowledge time (83%) in JROTC focused on drill, inspections, and military history and strategies.

Conclusions: JROTC and PE provide substantially different content, contexts, and opportunities for students to be physically active, learn movement skills, and become physical fit. Policies and practices for permitting substitutions for PE should be carefully examined. Replications of this study using the direct observation of other programs frequently permitted to substitute for PE (e.g. marching band) are recommended.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC §51220(d) and EC §33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and

substantially meet the objectives and criteria of EC §33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The Commission agrees with the sentence in the last paragraph of the referenced abstract that reads: "Policies and practices for providing substitutions for PE should be carefully examined." LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

133. Birger L. Johnson, educator
Comment: It is nonsense for the Teacher Commission to allow military cadets to teach Physical Education. That action should be severely opposed.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter

knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

134. Bev Junginger, Retired Teacher, Administrator
Comment: Please vote NO on the new JROTC credential.

Response: No comment.

135. Margaret L. Kidd, Associate Professor of Mathematics, CSU, Fullerton, Single Subject Credential Coordinator, Mathematics, President CAMTE
Comment: Dear Ms. Duggan, Please vote NO on this issue. PE is extremely important for the well-being of today's teens in light of the obesity epidemic. These classes should be taught by an instructor with a background in kinesiology. It is much different than just doing a set number of calisthenics which the proposed candidates will be doing. In addition, without a well-rounded education received through a university, schools are opening themselves up to numerous lawsuits. This sounds like another quick fix which we all know will cause more harm than good.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

136. Donna A. Kimura, Physical Education Teacher - Coach, Retired
Comment: Dear Dr. Darling-Hammond, I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing.

DO NOT APPROVE the proposal to amend Title 5.

- JROTC & Military based drill programs have different goals and outcomes than Physical Education.

- JROTC & Designated Subjects Teaching Credentials in Basic Drill LACK the foundations in biological and physical sciences required in the undergraduate training for well prepared and qualified Physical Education teachers to provide exceptional

educational experiences for California children and youth to prepare them to achieve their highest potential throughout their lifetime.

Thank you for your consideration to keep qualified and well trained physical education teachers teaching Physical Education.

Response: An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

137. Torrey Kylander, Physical Education Option Student , Department of Kinesiology, CSU, Northridge
138. Germaine Parco, Physical Education Option Student , Department of Kinesiology, CSU, Northridge

Comments from Commenters 137 and 138: As prospective Physical Education teachers, we ask that the commission vote "NO" on this proposal of allowing the JROTC in teaching K-12 students in California public schools. "Blessing" the JROTC to teach in the public school setting without proper educational training and teaching credentials is insensitive to us and many others, who have spent years in obtaining formal training in teaching children. It is reckless to allow such a proposal to be passed and permit someone with no proper training or experience to teach Physical Education.

Additionally, authorizing this proposal would render our training and education useless when those who have no formal qualifications are being permitted to teach our children. Moreover, Physical Education is more than just running laps and performing push-ups. To scrape the surface of Physical Education it is giving proper tools to young children in leading a healthy lifestyle in a fun and positive manner. If you back up a couple of decades Physical Education consisted of; running the mile, push-ups, sit-ups, rope climb and dodge ball. Currently, Physical Education is filled with creative games to raise children's heart rates without them knowing they completed a mile run with smiles on their faces.

Please consider what message you would be sending to current and future teachers; "your education of 4 years plus 36 more units in an approved credential program is equivalent to a person with no teaching experience, does not have a degree in teaching and yet they are stealing your career". Would you like the JROTC taking your career simply because they need a job without having any qualifications? Would you like your child doing military drills during Physical Education or would you prefer them having fun and be given the tools to leading a healthy movement oriented life? It is unethical for unqualified people to be hired when many well-qualified physical education professionals are ready to teach developmentally appropriate physical education based upon California State Standards.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

Adding the proposed Special Teaching Authorization in Physical Education to the Designated Subjects Teaching Credential will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The LEA has full discretion of how their course of study is presented over the four year to include the eight areas of EC section 33352(b)(7). This is the option of the employing agency.

139. Dr. Patricia Laguna, Undergraduate Program Coordinator, Department of Kinesiology, CSU, Fullerton
Comment: What I really want to know is what the underlying reason(s) for this proposed law? Is it a way to provide jobs to military personnel? Is it a way to not have to pay these individuals the salary of a credentialed teacher? This law is so far out in left field that the reason(s) for the law needs to be fully disclosed before any action is taken.

There are two major reasons why a Single Subject Physical Education Credential being given to JROTC Instructors should not be allowed. First, the state has been in the fore front of the nation in identifying standards to ensure that physical education is taught as part of the Physical Education Model Content Standards for California Schools. This academic perspective provides students with a consistent K-12 program throughout their elementary, middle school and high school years. Second, is the dangerous precedence set by handing out credentials to uneducated and untrained individuals. Basically this law would state that K-12 teacher preparation for physical education today and any subject in the future is unnecessary.

Response: The Commission anticipates that the proposed amendments will benefit the welfare of students attending public schools in the State of California by creating a Special Teaching Authorization in Physical Education that employers may potentially use in conjunction with EC §51225.3 to grant physical education high school graduation credit for basic military drill and physical fitness activity courses taught by holders of Designated

Subjects Special Subjects Credentials in BMD and ROTC, thereby increasing the students' course options.

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
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3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. This is the option of the employing agency.

140. Dr. Anne Larson, professor, school of kinesiology and nutritional science, coordinator, physical education teaching preparation, director, youth agency administration studies certificate, director, intercultural proficiency certificate
Comment: hello - this email is to voice my concern about rotc instructors being granted physical education teaching eligibility. the last thing our state needs is more unqualified physical education professionals delivering instruction to our students. deficient content knowledge leads to deficient student learning. motor skill proficiency forays lifelong physical activity engagement - we are motivated to that in which we feel competent. quality k-12 physical education fosters the motor skill proficiency required to sustain motivation to engage in activity. motor skills are developed through developmentally-appropriate, prescriptive practice, not simply providing equipment and space. delivery requires the content knowledge that preparation programs provide.

our students deserve better than to be subjected to deficient instruction. it really is a matter of life and death considering the dire health consequences of under-activity. allowing anyone less than qualified to deliver quality instruction is a travesty.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

141. Martha G. Lujan, Respiratory Therapist Retired
Comment: JROTC Teachers should not receive Physical Education authorization in California. The goals of a Physical Education class and JROTC class are not the same.

As a concerned parent I demand that JROTC Teachers not be allowed to teach PE class.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement

that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

142. Efrain Macedo, Kinesiology Major/Physical Education Option, CSU, Northridge
143. Luis Solis, Kinesiology Major/Physical Education Option, CSU, Northridge

Comments from Commenters 142 and 143: We, Efrain Macedo and Luis Solis are current undergraduates at California State University of Northridge seeking a career in Physical Education. We have worked without ceasing many years to graduate with a Bachelors of Science emphasis Physical Education degree. We recently found out that there is a possibility that there might be an amendment that will allow non-credentialed people and Physical Educators to teach the youth in California's public schools. This is absurd to put unqualified individuals from military science and JROTC or anyone without a physical education credential from an accredited higher institution to teach our youth. These drastic measures should be carefully looked upon by the whole community. In our honest opinion putting individuals with military interests to teach students physical education is not an educated choice. People who joined the military learn and are taught to teach others how to protect the United States of America. Also, if you put military service women/men in the role to teach Physical Education you are taking away work from true professionals trained to teach developmentally appropriate physical education to K-12 students. These credential teachers have experience working with youth from K-12 and an accredited certificate from a higher institution to teach Physical Education. It would not be wise to put someone who has no prior knowledge of children, or classroom management, or experience with physical education content as developed based on California's state standards for K-12 students. It just does not make sense. We implore you to reconsider your reform and take the perspective of all the educated and experienced young adults wanting and needing to be a positive influential physical educator in California's public school. Thank you for your time.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. Adding the proposed Special Teaching Authorization in Physical Education to the Designated Subjects Teaching Credential will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

144. Dave Matuszak
Comment: Do not grant PE credit for JROTC !!

Support the PE state standards.

I have observed JROTC classes for 40 years at many high schools. It is not P.E. It is only physical fitness and it is not based on sound exercise science. It is based on boot camp.

PE is much more than physical fitness. Please read the PE standards and it will be clear to you why JROTC should <u>not</u> count as PE.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
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3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

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The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

145. Kristen Mattox, Dedicated Physical Educator
Comment: It is appalling that the Commission on Teacher Credentialing is even considering to allow Jr. ROTC teachers to teach PE. Physical Education should only be taught by qualified, properly credentialed teachers. It is a slap in the face of the entire profession of physical educators who are dedicated to their profession and understand the value and importance of a well-developed and implicated PE program.

If the commissions proposal goes through, I will fight to replace the math and English teachers for all cheerleaders as they learn to count and make posters through their cheerleading experiences, and that should be enough. I am qualified to teach math because I passed my math facts in elementary school, like to do math in my spare time, and I own a calculator. I am also qualified to teach English because, well, I am English speaking, speak it all the time, and like to write emails to people who bash my profession.

It is my request that the Commision on Teacher Credentialing please refrain from go through with the proposal to allow Jr. ROTC teachers to teach PE without the proper education, credential, or experience.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

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146. Justine J. McAlpine, Faculty member, Department of Kinesiology, CSU Fresno
Comment: I am writing this to urge you to NOT authorize JROTC instructors to teach physical education! These instructors are no doubt very good at teaching in their area of expertise, just as well-prepared physical educators excel at providing quality physical education classes to their students. However, that does not mean that either group is prepared or capable of offering comprehensive quality instruction to the others' students, especially instruction that meets rigorous state standards.

I am a faculty member at CSU Fresno in Kinesiology and I help train our future physical educators. We spend an incredible amount of time creating learning experiences that will best prepare these future teachers. Our students put in a ton of work and time to become the best educators they can be. To belittle this by offering a teaching authorization for our subject matter to a group without proper training/education is a travesty. JROTC instructors may know about military-style fitness; but that does not mean they are prepared to teach the remaining 83% or so of what is included in the state standards, or that military-style fitness is appropriate for the vast majority of children in our schools.

Please do not endorse this! The kids of California deserve to have the highest quality of teachers in all of their subject areas, including physical education. Our future physical educators deserve to have teaching jobs to come to when they complete their credentialing. We have made so much progress in improving physical educations programs...please do not destroy what we have created!
Thank you for your time

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

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147. Thomas L. McKenzie, P.H.D., Professor Emeritus, School of Exercise and Nutritional Sciences, San Diego State University
Comment: I'm writing to voice my concern, and urge the Commission to vote **"NO"** relative to the establishment of a Special Teaching Authorization in Physical Education for holders of Designated Subjects Special Subjects Teaching Credentials (JROTC and Basic Military Drill).

Physical education an JROTC are clearly different entities. They have different goals, provide different activities, produce different ourcomes, and to teach them appropriately requires that their instructors clearly have different skills.

My colleagues and I [led by Dr. Monica Lounsbery] have been studying the conduct of physical education lessons and JROTC sessions in high schools for some time. Our manuscript, "JROTC as a Substitute for PE: Really?" is currently being reviewed for publication in a peer-reviewed journal. Meanwhile, an abstract of our study has been published on-line (http://aahperd.confex.com/aahperd/2014/webprogram/Paper19703.html) and will be presented at a national meeting on April 3. The results and conclusions are below:

Analysis/Results: Inter-observer reliabilities exceeded 90% for both student activity and lesson context variables. Students engaged in relatively more time in Walking (49 vs. 19%; $p<.001$), Vigorous (11 vs. 4%; $p<.001$), and Moderate-to-Vigorous PA (61 vs. 23%; $p<.001$) in PE than during JROTC. Conversely, they spent significantly less time Sitting (17 vs. 47%; $p<.001$), Standing, (22 vs. 30%; $p<.05$), and engaged in sedentary behavior (39 vs. 77%; $p<.001$). PE teachers allocated significantly more time for physical fitness (20 vs. 9%; $p<.05$) and game play (30 vs. 5%; $p<.001$) and teachers of JROTC lessons allocated significantly more time for knowledge (38 vs. 6%; $p<.001$). Knowledge time during PE primarily focused on physical fitness, motor skill development and game strategy concepts. In contrast, most knowledge time (83%) in JROTC focused on drill, inspections, and military history and strategies.

Conclusions: JROTC and PE provide substantially different content, contexts, and opportunities for students to be physically active, learn movement skills, and become physically fit.

Decisions should be based on data and science, not politics. I urge the commission to vote **"NO"** on this issue.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

148. Andrew Mena, Graduating Senior, Physical Education Option, CSU, Northridge
149. Randy Myles, Graduating Senior, Physical Education Option, CSU, Northridge

Comments from Commenters 148 and 149: We had very discouraging announcement while attending one of my Kinesiology courses at California State University, Northridge

this week. We were informed by our professor that the California Commission on Teaching Credential considering allowing Physical Education job opportunities in California to individuals in Junior Reserve Officers' Training Corps and Basic Military Drill even though they are not education in the content or pedagogy of Physical Education. While JROTC is a great program in itself, you need to understand that not all of our students are bound to join the military so there is a greater need to educate our students in physical education rather than just drill them to be physically fit.

One main issue that we have with this consideration, these individuals are not required to hold a bachelor's degree in the subject of Physical Education. They would be the only "teachers" that will not have the important academic foundation that is needed to develop our students into becoming physically literate individuals. We feel that if this amendment is passed, our students will not be provided with all the content that is needed in physical education and addressed through the CA Physical Education Content Standards.

We spent four to five years in college to learn how to be a teacher of physical education, we have spent our money and time to learn the information to effectively teach developmentally appropriate lessons through the psychomotor, cognitive and affective domains. We future educators have worked diligently to be where we are and if this amendement *(sic)* is passed, this will be an insult to all current and future physical educators.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

Because a bachelor's degree is not a requirement for the ROTC or BMD Credential, it is unclear how many may hold a bachelor's degree. The American Indian Languages Credential issued by the Commission does not require a bachelor's degree. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The decision by LEAs to choose to recognize the

Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

150. Jerie Morrison
Comment: I oppose amending Title 5. Ed. Code should not be changed to allow non-credential people to teach course for HS credit.

Response: Adding the proposed Special Teaching Authorization in Physical Education to the Designated Subjects Teaching Credential will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

151. Dr. Joan Neide, Chair, Department of Kinesiology and Health Science, CSU Sacramento
Comment: "Those who can, can. Those who can't, teach. Those who can't teach, teach gym." This line from the movie "Annie Hall" released in 1977 created lots laughter in the movie theatre. As a physical educator, when I heard these words, I cringed.

In 2014 the CCTC is again making me cringe as I read the proposal to amend Title V of the California Code of Regulations pertaining to Designated Subjects Special Subjects Teaching Credentials. The proposed amendment will establish a Special Teaching Authorization in Physical Education for holders of Designated Subjects Special Subjects Teaching Credentials (JROTC and Basic Military Drill).

The precedence established by this amendment is astonishing:

1. Individuals without a bachelor's degree would be authorized to teach courses in California public schools.
2. Individuals without multiple or single subject competency can teach an academic subject in California public schools.
3. A required subject area does not have to meet the standards set by the approved California model content standards.
4. A required subject will not be monitored for adhering to the model content standards for California public schools.

I am not writing this memo to defend physical education. In fact I am defending all academic subjects taught in California. Standards-based education encourages educators to apply standards and design specific curricular and instructional strategies that best deliver the content to their students. Standards-based education taught by <u>credentialed</u> instructors helps students achieve at high levels. Passage of this amendment is an insult to all university credential programs and to all current and future credentialed teachers.

Response: The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of

basic military drill and physical fitness training and will not authorize service in any physical education courses outside of Reserve Officer Training Corps (ROTC) and Basic Military Drill (BMD).

Because a bachelor's degree is not a requirement for the ROTC and BMD credential, it is unclear how many may hold a bachelor's degree. The proposed Special Teaching Authorization in Physical Education requires individuals to satisfy California's basic skills requirement and verify subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will be limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by the Local Education Agency (LEA) to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

152. Marc Norton
Comment: Dear Dr. Darling-Hammond: I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved.

I am not going to make a long argument. You know very well that this is about making it easier for JROTC instructors to recruit our children to the military. Shame on anyone who approves this legislation.

Response: No comment.

153. David Nguyen
154. Allie Soriano
Comments from Commenters 153 and 154:

This is David Nguyen and Allie Soriano writing to you regarding JROTC teaching PE in the schools in California. We are seniors at Cal-State Northridge earning our Kinesiology degree with an option in Physical Education. We have gone through required courses such as Biomechanics, Motor Development, and Motor Learning as well as content development courses specific to teaching K-12 Physical Education. Collectively these classes have prepared us as future education teachers to complete effective lesson plans and prepare us teach students in primary grades as well as secondary grades in order to address both CA and National Physical Education Standards. This CA accredited program provided us, the foundation improving kids health as well as the educational foundation to lead a healthy life.

As a physical educator in the making we consider physical education, recreation, physical activity, dance, and sport a very important matter. Our courses and the professionals we have worked with have been such an inspiration and mentored us toward changing the lives of these children. We are tired of the "old fashion" Physical Educator with old habits that does not take this class very serious. We have been fortunate to be a part of the Physical Education option here at Cal State Northridge. Coming into this option, we assume we have it all figured out and think PE is fun and easy. Little did we know we just had an idea of what we thought it meant. We have had the privilege to learn from great professionals who know and care about Physical Education. Our courses have been of great knowledge and expanded our idea of Physical Education.

After hearing that they may grant teaching credentials for JROTC for teaching physical education in our schools this made my colleagues and I very concerned. Allie and I are especially concerned and this is why we came together to be heard. We are concerned for the students that we may be teaching in the future. We believe that knowing how to be fit and active does not qualify someone to correctly teach physical education to students. Physical Education is more than "free play" during school. We strongly believe that as Physical Education teachers in the future we must create a positive learning environment for our students K-12.

We are being taught to move away from traditional physical education as running miles, drills or just playing a sport. We have learned that we need to give students a variety of ways to be physically active by being creative, integrate other subjects into their PE programs and to challenge their minds. We also learn to have a victimless environment where students feel comfortable with physical education and we also learned to make our lessons equitable to all types of students. Physical Education might seem like an easy subject for many people, but we are telling you from our experiences we have, that if we want to have an effective physical education program a physical education teacher must know what they are doing and why. It cannot just be anyone to do the job, if the amendments are approved anyone would be able to teach, with little to know awareness of required standards, pedagogical skills, scientific theory of child and adolescent development, let alone developmentally appropriate content. The focus will likely be physical drills and running based upon military discipline. That is not sufficient to effectively teach students because physical education is more than "one size fits all" content, every student will be different, therefore a good teacher will know that they must

consider other factors and chose a lesson that is developmentally appropriate. We don't believe anyone will be prepared enough to deal with students if they have not one through an accredited single-subject physical education program.

Response: Subsection (b) of EC §44225 requires the Commission to reduce and streamline the credential system to ensure teacher competence in the subject field or fields while allowing greater flexibility in staffing local schools and subsection (g) to establish alternative methods for entry into the teaching profession, and into other certificated roles in the schools, by persons in varying circumstances.

Education Code (EC) §33352, under the authority of the California Department of Education (CDE), establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC §51220(d) and EC §33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:

1) the effects of physical activity upon dynamic health;
2) the mechanics of body movement;
3) aquatics;
4) gymnastics and tumbling;
5) individual and dual sports;
6) rhythms and dance;
7) team sports; and
8) combatives.

The employing agency must ensure that the physical education course taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC §33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.

The proposed Special Teaching Authorization in Physical Education requires satisfaction of California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will be limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active

involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The decision by the Local Education Agency (LEA) to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

155. Debra L. Patterson, Professor, Department of Kinesiology, Physical Education Teacher Education, CSU Fullerton
Comment: As a former Physical Education teacher (currently hold a valid credential) and currently a Professor of Kinesiology in charge of our Teacher Preparation Program, I am very frustrated at the thought of allowing JROTC instructors to teach Physical Education to their students. I am encouraging the Commission to **"VOTE NO"** relative to the establishment of a Special Teaching Authorization in Physical Education for holders of Designated Subjects Special Subjects Teaching Credentials (JROTC and Basic Military Drill).

As one of the original authors with the *Physical Education Model Content Standards for California Public Schools, Kindergarten through grade Twelve (2006)*, I hold a very high value on the content the Department of Education approved that every student should know and be able to do at the end of each grade level. The standards provide teachers the guidelines of what should be taught. As Physical Educators, we don't just teach movement but the "how's & why's" of movement which provides students the evidence to make informed choices about physical activity across their lifespan. Our students learn how to assess and evaluate themselves and use those results to lead healthier and well rounded lives.

Physical education and JROTC are clearly different entities. They have different goals, provide different activities, produce different outcomes, and to teach them appropriately requires that their instructors clearly have different skills.

Recent research identifies that the *(sic)* both the content and context is very different in Physical Education when it is taught be *(sic)* credentialed Physical Educators versus JROTC Instructors. Lounsbery, M. A.F., Holt, K. A., McKenzie, T.L. & Monnat, S.A. (*to be presented 2014 and under review for publication)*. Using SOFIT to Compare High School physical Education and JROTC.
(http://aahperd.confex.com/aahperd/2014/webprogram/Paper19703.html)

I can only hope for the Commission to consider the facts and future quality of Physical Education in California and **vote NO** on February 14, 2014. Hopefully, this won't just be a political vote but a vote on quality for the future citizens in California.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement,

growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The decision by the Local Education Agency (LEA) to recognize the Special Teaching Authorization in Physical Education and use the option.

156. Norma F. Rahl
Comment: I have MANY concerns regarding the regulatory action scheduled for consideration on Feb. 14 , 2014 by the commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:

The Physical Education Content Standards for calif. Public Schools, K-12 affirm that participation in physical activity is not the same as education. JROTC has different goals and outcomes that physical education and is focused on participation in physical activity rather than learning the content of physical
education.

The content and learning outcomes for physical education and JROTC are not the same. Sufficient time must be devoted to the learning process for students to learn the content of physical education.

Physical Education is a science based on academic discipline. Effective teachers of physical education have strong undergraduate foundations in biological and physical sciences. This proposal does not require that foundation for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will no prepare our students to achieve their highest potential.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC §51220(d) and EC §33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC §33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

157. Martin Ramirez
Comment: As a current administrator, it is very disappointing to learn that certain former or current military personnel will be allowed to teach P.E. without a teaching credential. As in the military, all citizens should earn the proper credentials or ranks to participate in any institution. Not to mention, we have many credentialed teachers without a job and that in itself is an injustice.

Response: Adding the proposed Special Teaching Authorization in Physical Education to the Designated Subjects Teaching Credential will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

Adding the proposed Special Teaching Authorization in Physical Education to the Designated Subjects Teaching Credential will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

158. Peggy Deal Redman, Ed.D.**,** Director**,** LaVerne Experience**,** Professor of Education, La Fetra Family Endowed Chair for Excellence in Teaching and Service
Comment: I add my voice to the effort to NOT amend Title 5 that would allow JROTC instructors to be allowed to teach Physical Education in California Schools. As a longtime professor in Teacher Education I support the professionalism that currently exists, and would like to see it continue.

Thank you for hearing my voice.

Response: No comment.

159. Jacqueline A Relph, Physical Education Specialist, San Bernardino City Unified School District
Comment: I am writing to voice my opinion about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should NOT be approved for several reasons.

First of all, Physical Education is more than being physically fit. Physical Education encompasses motor and cognitive development, nutrition, rhythm, balance and coordination as well as strength, speed, endurance and flexibility. Part of a Physical Education teacher's job is to inspire students to adopt and maintain a healthy lifestyle beyond their school years.

Currently Physical Education teachers must have a strong academic understanding of, Biology, Anatomy, Physiology, Kinesiology, etc. By the time a college grad earns their Bachelors of Science degree, an intrinsic knowledge of what it means to be healthy has been cemented in their brains. This knowledge can then be passed on to the students.

Barking orders to "MOVE" is not the same as teaching about the human body and how and why to keep it healthy. Please do not approve the proposed regulations.

Thank you for reading and considering.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement,

growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

160. Chris Reich
Comment: I am strongly opposed to having JR ROTC teach PE. I want trained, credentialed teachers teaching physical education. Please reconsider the proposal to allow JR ROTC to teach PE.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

161. Terry L. Rizzo, Ph.D, Professor and Chair, Emeriti Editor, Adapted Physical Activity Quarterly, Past President California Association of Health, Physical Education, Recreation and Dance, Member, Board of Directors of the American Kinesiology Association, President, National Consortium for Physical Education for Individuals with Disabilities

Comment: Please accept this letter expressing my strong opposition to the recommendation to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps. This proposal ***should not*** be approved for the following reasons including, but not limited to:

1. Physical Education Rather than Physical Activity
The terms "physical education" and "physical activity" are often used synonymously but they differ significantly. Physical education instructional programs provide students with the skills and knowledge they need to establish and sustain physical activity as a key component of their lifestyle; as children, adolescents, and adults. Physical education instruction takes place in an educational setting; sequential approaches to content takes place, purposeful teaching and learning is priority, evidence of student learning is determined and gathered using motor assessment instruments, and decisions about program planning, implementation and evaluation grounded in science and student progress toward course goals.

Physical activity is bodily movement of any type and may include, but not be limited to, leisure, recreational, fitness and sport activities such as jumping rope, playing soccer, lifting weights, as well as daily activities such as walking to the store, taking the stairs or raking the leaves. National recommendations urge school-age children accumulate at least 60 minutes and up to several hours of physical activity per day while avoiding prolonged periods of inactivity. The benefits of regular physical activity are many, and are related to physical and mental health, academic success, and economic viability.

2. Outcomes

According to the National Association for Sport and Physical Education (NASPE), the unique goals of physical education are the development of physical competence (movement skills), health related fitness, cognitive understanding (of the principles of physical activity), and a positive attitude toward physical activity.

Title 10, Section 2031 of the United States Code, outlines the purpose of the Junior Reserve Officers' Training Corps is to instill in students in United States secondary educational institutions the values of citizenship, service to the United States, and personal responsibility and a sense of accomplishment. To supplant JROTC for physical education is tantamount to academic negligence. Let the Pentagon offer after school activities for those who are interested in a career associated with the armed forces in after school programs. Make it an option and not a supplement to physical education. JROTC does not meet the same educational goals as physical education. Indeed it is nothing more than a recruiting mechanism for the military and should occur as an after school alternative like cheerleading and band.

3. Course Content

The *Physical Education Content Standards for California Public Schools* communicates what students need to know and demonstrate in physical education. This content is based on the academic disciplinary content of kinesiology and includes each of the following: motor development, motor learning, motor control, exercise physiology, biomechanics, psychology of physical activity, sport and exercise, and the sociology of sport, physical activity, sport and exercise.

The California State Board of Education has not adopted content standards for JROTC that match up with anything in Kinesiology and its subfield of physical education. Indeed JROTC deals with military leadership, basic military training, military history, policy and customs, physical training for survival in the field, first aid associated with trauma from combat and self-survival skills for warfare. Can you see the historical parallel? Is this something you really want to supplant learning about life-long physical activity?

4. Teacher Education and Credentialing

The pre-service education California's teachers receive reflects the diversity of the subject matter they teach that is associated with the academic discipline of Kinesiology with specialized academic experiences associated with pedagogical Kinesiology. California's future physical educators demonstrate professional competence based on a solid academic learning experience here at the university. The academic experiences are associated with course work in exercise physiology, philosophy, motor development, motor learning, motor

control, biomechanics, with professional national standards and assessment in physical education.

The teachers of JROTC courses have specific military background and experience to prepare them for conflicts throughout the world; nothing to do with lifelong physical activity for fan active lifestyle as we age that contributes to fitness, wellness and a healthy lifestyle.

The California Commission on Teacher Credentialing authorizes teachers to provide instruction in physical education, music, and ROTC. These are three very distinct and different credentials. The subject matter requirements for each credential are unique and do not share the same requirements. Why would CCTC ignore the very policies they create for universities to comply to meet subject matter competencies? To include JROTC as a supplement to physical education is to make a mockery of the very standards CCTC expects of us at the university to develop in young scholars.

5. What Others Say

A high-quality physical education program promotes an active lifestyle and improved health, motor skill development, and better cognitive performance. Daily physical education for all students is recommended by numerous national associations, including the Centers for Disease Control and Prevention, the National Association for Sport and Physical Education, the National Association for State Boards of Education, the American Academy of Pediatrics, and the American Heart Association, and is noted in the *Healthy People 2010* document. In addition, students participating in daily physical education exhibit better attendance, a more positive attitude towards school and superior academic performance. Are there any data to indicate similar outcomes for JROTC? If not, you have professional and philosophical obligations not to consider this proposal. To consider this proposal is a knee-jerk reflex response that is indicative of a 'quick fix' to make one powerful group happy. The Commission must not allow the military to recruit or entice our children in middle school for service in the military by promising financial ad for college that may never be available to these children. Instead keep JROTC as an after school elective activity and let physical educators prepare our children for an active lifestyle across their life-span.

It is true that JROTC also offers student's opportunities to be physically active appropriate for military service (read war time preparation). These elective courses do not prepare students to meet grade- or course-level standards in physical education and do not follow the high school course of study established by California *Code of Regulation*, Title 5, Section 10060. Although these courses may be appropriate for elective course credit, they are absolutely not appropriate for physical education course credit.

"The California Department of Education (CDE) does not support granting physical education credit for single activities such as marching band, drill team, ROTC, or cheerleading. These activities do not meet the requirements within the description of a course in physical education, as specified in the *California Code of Regulations*, *Title 5*, Section 10060. This section lists criteria by which each school district shall appraise the quality of their high school physical education programs and states that the physical

education course of study provides instruction in: aquatics, games, gymnastics, individual and dual sports, team sports, combatives, rhythms and dance, effects of physical activity, and mechanics of body movement.

The opinion of CDE is that marching band, drill team, cheerleading, ROTC, and related activities **do not** meet the physical education goals and objectives, as stated in either the *California Code of Regulations* or the *California Physical Education Framework;* nor do these activities prepare students for the physical performance test. "

Clearly recognizing the health, educational, and economical values of a citizenry that was equipped to engage in an active lifestyle, California's policy makers made sound decisions to include physical education in the required course of study for all students in grades 1-12. Schools have the exclusive responsibility to provide our students with quality instruction in physical education. This sub-field of Kinesiology does not occur in our communities; physical activity does, physical education does not take place in after school programs; physical activity does, and physical education is not in our homes, parks, or churches, it occurs *only* in our schools.

Recent educational reform efforts have strengthened the communication of what physical education encompasses and school decision makers, teachers, parents and students now share a universal view of physical education; what it is and why it's important. All stakeholders should be involved in local efforts to develop and implement high quality standards based physical education programs, efforts to do otherwise are not well invested, nor are they in the best interest of our students.

General activity programs that include some physical activity (recess, marching band, JROTC, cheer, etc.) have important but distinctly different goals and objectives than physical education. Any opportunity that provides students opportunity to participate in sustained periods of meaningful physical activity should be encouraged, and provided by our schools when possible. However, these activities do not provide a comprehensive standards-based physical education experience and should not be allowed to supplement the requirement of physical education.

Marching band, JROTC, recess, and other activities may serve the interests and needs of some of our students; simply stated they do not provide a comprehensive approach to the content of physical education, and the outcomes must not be confused nor exchanged for the skills and knowledge required to establish, practice, and value a physically active lifestyle.

Speaking on behalf of Kinesiologists in California I implore you to place your true values in the marketplace and reject the proposal to supplant physical education with JROTC. Make the Pentagon use its vast taxpayer money for volunteer after school activities. This country has spent billions of dollars on the military and recent wars. What cost can you place on the lives of the wonderful Americans that sacrificed their bodies and lives for meaningless wars that we now regret? Indeed CCTC should show its true values and require physical education and drop all the exemptions that are currently allowed to supplant physical education.

Response: Subsection (b) of EC §44225 requires the Commission to reduce and streamline the credential system to ensure teacher competence in the subject field or fields while allowing greater flexibility in staffing local schools and subsection (g) to establish alternative methods for entry into the teaching profession, and into other certificated roles in the schools, by persons in varying circumstances.

Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC §51220(d) and EC §33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC §33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military

drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

162. Nani Rowland M.S., R.D., Registered Dietitian, Tulare County Office of Education
Comment: I understand the Commission on Teacher Credentialing is being asked to allow JR ROTC teachers to be given authority to teach Physical Education. Though I believe the JR ROTC teachers may be qualified in certain areas of expertise they are certainly NOT qualified to teach Physical Education. JR ROTC teachers basically do instruction in fitness which is merely 17% of the total physical education curriculum.

Our kids deserve qualified properly trained and educated Physical Education teachers.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

163. Loren Scott
Comment: Please oppose the change to title 5 changes allowing JROTC to get PE credentials. The opportunity to get the credential is already there. I feel that if they wanted it, they can go through what every other teacher has to do to get it. This would give them an advantage over other legitimately credentialed teachers and should not be passed.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

164. Dr. Dennis Siebenaler, Music Education Area Coordinator, CSU, Fullerton
Comment: Dear Ms. Duggan, It has come to my attention through a faculty colleague at CSU Fullerton, that the California Commission on Teacher Credentialing is considering an equivalent credential in Physical Education for JROTC instructors. Personally, I do not see the equivalency between someone trained in physical education methods and materials with all the coursework, evaluations, and assessments that entails, with someone trained in military preparedness and marching drills. It would be comparable to say that someone who plays tuba in the military band is equipped to teach music (including vocal music, strings, elementary, etc.)to young people, K-12. That would certainly negate all the coursework, skills, and subject matter preparation that our current credential candidates develop as future professional educators. I would never be willing or able to support any short-cuts in that important process. I trust that this ridiculous idea will come to a quick end when the Commission realizes that its adoption will only jeopardize the physical well-being of the next generation of Californians.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

165. Marie Silvio, Citizen, taxpayer, and mother of a physical educator
Comment: I have just learned from my daughter that the California Commission on Teacher Credentialing is considering amending the Title 5 on February 14, 2014, to establish a special physical education authorization for holders of Designated Subjects Teaching Credential in Basic Military Drill and Reserve Officer Training Corps. This change should not be approved because most of the people conducting these groups are NOT credentialed teachers and are NOT full time employees of the school district. I watched my mom get her teaching credentials and saw how hard she worked to be a good teacher. Physical Education should be taught by highly qualified teachers just like other subjects. High School students should learn how to do a lot of different activities they can do after they graduate. If you pass this change to Title 5, you will be take education away

from students and do a disservice to children and youth and you will be discrediting the content area of physical education. Students deserve more from the CCTC who should ensure quality educators for every subject. I oppose this change.

Response: *The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

166. Matthew Smit
167. Leo Garat
168. Stephen Deckrow

Comments from Commenters 166-168:

As members of the California educational community, we ask that you vote NO on the proposal to allow JROTC individuals without a bachelors degree in physical education to teach physical education in our school systems. Physical education is one of the most important elements in education at our schools today. To allow those who bear no education in the field to teach the subject would have a negative impact on our students.

Physical education is not about making every student into a world class athlete or marine. A physical educator's purpose is to give all students an understanding of lifelong fitness and its importance. Students should come to class to enjoy fun ways to exercise not be drilled into fitness. The amount of time that teachers have with their students is very limited. The teacher is not going to make a student "fit" with just the 50 minutes a day in a given class. Credentialed teachers aim to teach students to engage in fun activities that they enjoy enough in class that they take it out of class with them. A drill sergeant type teacher is not going to have the mindset to make creative student interactive games to engage all students.

Consequences of making JROTC individuals certified teachers would include a decrease of enjoyment in class exercise and eventually reduce overall fitness. Many of the physical education curriculum at CSU, Northridge focuses on not only psychomotor learning outcomes but also a cognitive learning outcome. Our credentialed program focuses on engaging the students and analyzing each of their individuals needs rather than treat them all as if they are the same.

Although an instructor from JROTC might be able to get a child to move, they are not going to help bloom the passion in children to pursue physical activities outside of class. JROTC individuals do not have the same comparable knowledge of someone with a degree in physical education. To have unqualified people teach a subject is absurd. Are we going to allow the cafeteria lady to teach the cooking class or home economics?

On behalf of physical education society, we ask that you vote NO on the ballot to allow for JROTC individuals to teach physical education during one of the most important times in which physical education is needed.

Response: Education Code (EC) §33352, under the authority of the California Department of Education (CDE), establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC §51220(d) and EC §33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The employing agency must ensure that the physical education course taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

An undergraduate degree in physical education is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will be limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been

exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study. The decision by the Local Education Agency (LEA) to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

169. Beverly Snow
Comment: Dear Dr. Darling-Hammond: I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:

- As a physical education teacher, I have experience implementing and ensuring that students are successful in achieving National and State Physical Education Standards. Doing so takes every minute allotted to Physical Education. I do not feel that JROTC instructors have the appropriate training to ensure students receive a quality physical education that utilizes each minute of physical education to its fullest.
- As an individual who took 4 years of JROTC in high school I can attest that the JROTC physical experience is vastly different than the physical experience in a physical education class. I do agree that students in JROTC are physically active and the instructors are responsible for this, but they do not achieve the standards put in place at the national and state levels by performing push-ups, sit-ups, and running a mile and a half. I do not doubt the instructors' ability to make students physically active, but there is a difference in being physically active and physically educated.
- Effective physical education teachers have been through thorough undergraduate work that gives foundations in anatomy, biological, and physical science. Along with this, physical education teachers have learned strategies to ensure that students are receiving a well-rounded and balanced physical education experience which cannot be supplied in a dual-subject setting.

Students need highly qualified teachers that will provide them with an exceptional physical education experience that leads to lifelong learning. Adding this authorization will not allow our students to learn to their highest potential.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

170. Belinda Stillwell, Associate Professor, California State University, Northridge, Department of Kinesiology, Single-Subject Coordinator/Physical Education
Comment: Dear California Commission on Teacher Credentialing (CCTC): I write this letter to you to express my concern over the amendment that would establish a Special Teaching Authorization in Physical Education for holders of Designated Subjects Special Subjects Teaching Credentials (JROTC and Basic Military Drill).

JROTC and Basic Military Drill are programs that promote different interests than those of Physical Education; namely, military preparedness versus physical educators who learn how to plan and deliver physical activity programs in a school setting.

It is with respect that I request you vote no on this amendment.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

171. Craig Tacla, Ph.D., Kinesiology and Health Science, CSU, Sacramento
Comment: Hello Ms. Tammy Duggan and members of the CCTC, Please vote No on the proposal set forth by JROTC. Physical Education is a standards-based subject (not Physical Activity) and allowing the JROTC proposal would simply set a precedence for other subject areas and special interests. Please strongly consider the implications of your potential actions as they pertain to the profession Physical Education.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

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5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is*

the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

172. Michael Verderber, college student
Comment: Dear Dr. Darling –Hammond: I have just learned from my mom that the California Commission on Teacher Credentialing is considering amending the Title 5 on February 14, 2014, to establish a special physical education authorization for holders of Designated Subjects Teaching Credential in Basic Military Drill and Reserve Officer Training Corps. This change should not be approved because most of the people conducting these groups are NOT credentialed teachers. I watched my wife get her teaching credentials and saw how hard she worked to be a good teacher. Physical Education should be taught by highly qualified teachers just like other subjects. High School students should learn how to do a lot of different activities they can do after they graduate. If you pass this change to Title 5, you will taking education away from students. I oppose this change.

Response: *The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military

drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

173. Peter Verderber, parent and business owner
Comment: Dear Dr. Darling-Hammond: I have just learned from my wife that the California Commission on Teacher Credentialing is considering amending the Title 5 on February 14, 2014, to establish a special physical education authorization for holders of Designated Subjects Teaching Credential in Basic Military Drill and Reserve Officer Training Corps. This change should not be approved because most of the people conducting these groups are NOT credentialed teachers and are NOT full time employees of the school district. I watched my wife get her teaching credentials and saw how hard she worked to be a good teacher. If you pass this change to Title 5, you will do a disservice to children and youth and you will be discrediting the content area of physical education. Our students deserve more from the CCTC who should ensure quality educators for every subject. I oppose this change.

Response: *The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

173. Megan Watanabe, Adapted Physical Education Teacher
Comment: I'm writing to voice my concerns about the regulatory action scheduled on February 14, 2014. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:

- Basic Military Drill and JROTC courses have objectives that are vastly different than the objectives for physical education. While *physical fitness* is indeed a component of JROTC coursework, the learning of skills, knowledge, and dispositions required to be physically active across the lifespan are absent in the JROTC curriculum. We have never seen a course that meets the objectives of JROTC *AND* physical education and includes all eight content areas.

- The *Physical Education Content Standards for California Public Schools, K-12* affirm that participation in <u>physical activity</u> is not the same as <u>physical education</u>.

- JROTC does not provide students the opportunity to learn the content in the *Physical Education Content Standards for California Public Schools.*

The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC §51220(d) and EC §33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC §33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize

the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

175. Loran Watson MA.ED., Adapted Physical Education Specialist
Comment: I am writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing (CCTC). The proposal to amend Title 5 to establish special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:

- The Physical Education Content Standards for California Public Schools, K-12 affirm that participation in physical activity is not the same as education. JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education.
- A sound physical education program is designed with scientific principles underlying the rationale. If a candidate does not have the courses such as but not limited to: anatomy, exercise physiology, kinesiology, child development, engrained in their education, plus a two year credential programs education which teaches how to teach information to various learners, then they are not capable of teaching a sound physical education program.
- Physical education is science driven. This proposal does not require that foundation for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

Physical education is more important than ever in this ever changing world of technology. The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*

4) gymnastics and tumbling;
5) individual and dual sports;
6) rhythms and dance;
7) team sports; and
8) combatives.

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

An undergraduate degree in science is not required to earn a Single Subject Teaching Credential in Physical Education. The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

176. Roland Wendell
177. Richard Wilson

Comments from Commenters 176 and 177: I'm writing with concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical

education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps **should not be** approved for the following reasons:

- JROTC is NOT the same as physical education – only JROTC people would tell you that it is. The two courses are not similar; in fact, some might suggest that JROTC should be a history/social science course because of the military history component.

- All California teachers should be required to hold undergraduate degrees, this will not be true it the proposed regulations are adopted.

The students of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not accomplish this goal and will leave students with gaps in their learning.

Response: The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

Because a bachelor's degree is not a requirement for the ROTC or BMD Credential, it is unclear how many may hold a bachelor's degree. The American Indian Languages Credential issued by the Commission does not require a bachelor's degree.

178. Jamie Wolf
Comment: Hello, I am a veteran credentialed California teacher. As I understand it, you will soon vote on amending Ed Code Title V to allow uncredentialed JROTC instructors to teach physical education. While I have no objection to them obtaining credentials and teaching PE, I do object to them being allowed to teach in a public school without a credential. Please vote to oppose this amendment.

Response: Adding the proposed Special Teaching Authorization in Physical Education to the Designated Subjects Teaching Credential will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

179. James D. Wyant, Ph.D., Assistant Professor, Department of Health, Exercise, and Sport Pedagogy, University of the Pacific
Comment: I'm writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:

* The Physical Education Content Standards for California Public Schools, K-12 affirm that participation in physical activity is not the same as education. JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education.

* Approving the physical education authorization would in essence, give CTC's "blessing" for a blended course that cannot be delivered with fidelity. The content and learning outcomes for physical education and JROTC are not the same. Sufficient time must be devoted to the learning process for students to learn the content of physical education.

* Pre-service teachers at Pacific and other California campuses work through Physical Education Teacher Education programs that provide them with differentiated, theory driven learning experiences that equip them with the knowledge and skills to deliver <u>quality physical education.</u> This proposal does not require that foundation for holders of

Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential. This proposal is particularly concerning when the national trend is to strengthen physical education's role in the K-12 context. Please see the recent policy Chicago Public Schools passed relative to physical education's role throughout the K-12 years. California should be in line with other states and school districts in valuing physical education's role in the K-12 context.

Response: Education Code (EC) §33352, under the authority of the California Department of Education, establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. EC *§51220(d) and* EC *§33352(b)(7) together require that a Local Education Agency (LEA) provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:*

1) *the effects of physical activity upon dynamic health;*
2) *the mechanics of body movement;*
3) *aquatics;*
4) *gymnastics and tumbling;*
5) *individual and dual sports;*
6) *rhythms and dance;*
7) *team sports; and*
8) *combatives.*

The statute does not specify that every class must include instruction in all eight areas but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. The employing agency must ensure that the physical education courses taught by an educator with the Special Teaching Authorization met the requirements set forth in the Education Code. The student's course of study must include the eight areas and substantially meet the objectives and criteria of EC *§33352(b)(7) over the four years. It is the obligation of the LEA to determine how each particular physical education class in their district supports its course of study for grades nine through twelve.*

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.

One of the prescribed conditions for high school graduation in subsection (a)(1)(F) of EC §51225.3 is completion of two courses in physical education (unless the pupil has been exempted). Subsection (b) of EC §51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in EC §33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

The ROTC and BMD Credentials require four years of experience or education in their respective field. The proposed Special Teaching Authorization in Physical Education requires satisfaction of the California's basic skills requirement and verification of subject-matter knowledge in physical education equivalent to the subject-matter knowledge requirement that must be met by holders of Single Subject Teaching Credentials in Physical Education. The subject-matter knowledge requirement aligns with the K-12 physical education content standards and includes content in kinesiology, the science of human movement, growth/motor development, and knowledge of connections between physical education and other subject areas such as the life and physical sciences, health, mathematics, and the visual and performing arts.

Oral Comments Received During the Public Hearing:
The following is a transcribed accounting of the oral responses the Commission received at the public hearing to accommodate questions asked during the presentations by Commissioners. Whether the speaker was in support or in opposition of the proposed regulations is indicated in *italics* following each speaker's name:

1. Mark Ryan, California Cadet Corps Program *(Personal Support)*
   Comment: I just want to briefly comment on some of the comments in opposition that are in your packet. The most major comment from folks is that physical activity is not the same thing as physical education and that JROTC and California Cadet Corps programs are doing physical activity but not doing physical education and what I am here to attest is that both the California Cadet Corps and JROTC programs have made and are continuing to make a conscious effort to ensure that the physical education standards of the state of California are in fact addressed in California Cadet Corps and JROTC programs and we absolutely agree that physical activity is not the same thing as physical education and are making a valiant effort to ensure that the program content is aligned with California content standards in PE. The other major concern that has been expressed is that individuals that would get this additional authorization don't necessarily have bachelor's degrees and don't necessarily have subject matter competence. It is true that some individuals might not have a bachelor's degree and as has been said there are a number of folks with different types of credentials where individuals don't have bachelor's degrees but still get a teaching credential. These individuals would be required to demonstrate subject matter competence by successful completion of the CSET in addition to the basic subject matter competence by passing the CBEST. I am also willing to answer any questions that any Commissioners might have.

   Chair Darling-Hammond
   Are there questions?

   Commissioner Harris
   Good morning and thank you for being here. I still don't understand the difference. I think I know what JROTC is but I don't know what California Cadet Corps is and what the difference is and then also how many kids we're talking about.

Dr. Ryan
Sure, so California has its own version of JROTC that is run by the California National Guard. It's called the California Cadet Corps and it exists in elementary schools, middle schools and high schools statewide. The program currently has about 6,000 students statewide and it is the California version of the federal JROTC program.

Commissioner Harris
So for California, California Cadet Corps is JROTC?

Dr. Ryan
It is the same thing and the federal version of it is JROTC that is funded through the federal government. The California funded version of it for California students that are in programs of the California Cadet Corps is that special program.

Commissioner Harris
Then, how many are in the JROTC?

Dr. Ryan
There are about 350 JROTC programs statewide and each of those programs has at least 100 students enrolled. So it depends on…some have significantly more than 100 students. Whereas California Cadet Corps program might have only 20-30 students enrolled, because there isn't a minimal enrollment. The federal program requires at least 100 students to be enrolled to have the JROTC program.

Commissioner Harris
So we're talking, I saw a number somewhere that said 40,000. Does that sound right?

Dr. Ryan
Yes, absolutely.

Chair Darling-Hammond
Yes, Commissioner Martin.

Commissioner Martin
Dr. Ryan, is this program a pipeline for future programs or, in other words, would those who participate in this program at a more junior level then be going into the full national guard….what would they be preparing for?

Dr. Ryan
Our goal is to prepare kids for college. That's what we're about…and we teach leadership and citizenship and patriotism as a mechanism to get kids into college. Some kids choose to go into military service, which is obviously very honorable but that is not its intent.

Commissioner Martin
One other question, you mentioned that some of these instructors may not have a bachelor's degree but would pass the CSET and CBEST. What other training would those people in that category have via the program or the military?

Dr. Ryan
In order to qualify for the basic credential, the Designated Subjects Special Subject Basic Military Drill or JROTC Credential, they have to have 4 years of military experience and the Army or the Air Force or the Marine Corps or the Adjutant General of the State of California has to attest to two things: that 4 years of experience but also that they possess the knowledge and skill necessary to go into a classroom and teach and so they go through a teacher training program that is run through the branch of the military. That includes in the area of physical education, specific instruction in the California physical education content standards in addition to the basics of pedagogy.

Chair Darling-Hammond
Okay, I appreciate that there are a lot of questions. There are also other people that need to speak. Let me ask you to keep your questions factual and brief if they need to go to Mr. Ryan and otherwise we'll come back for discussion after the commentary. So with that framework, are there any questions that are burning right now? Okay, so let's go ahead. Thank you very much, Dr. Ryan.

Response: No response.

2. Chad Fenwick, United Teachers of Los Angeles *(Organizational Opposition)*
Comment: I'm representing United Teachers of Los Angeles, the second largest school district in the country and the largest school district in California. We are opposed to this change to these amendments in Title 5. We feel it will drastically reduce the rigor that we have been trying for so long to improve in our physical education programs. Since 1980 the obesity rate has tripled in our students but for the last 6 years it is because of the inclusion of physical education in the state monitoring process that has created accountability in the credentialing of who is able to teach physical education. Up until that time there were many substitutions, JROTC was one of those. And when we've done this, we've found out that not only the credentialing but the Title 5 content that is identified, the eight areas that are required by law to be taught in physical education were not being taught and to teach that content, it is extremely difficult just in a fulltime physical education class let alone the JROTC program when you are trying to teach that content also. It is virtually impossible and so ethically we have found that we cannot do that. We made changes eight years ago and we slowly started to implement them over the last 4 years we accelerated that and now our obesity rate has stopped rising and actually declined over the last six years, the number of kids that were physical fit before that were considered 26%. We have raised that to 56% because of these changes, we have made the first two years, the critical years to get the content and by credentialed teachers and those two years are called the foundation classes of physical education. They cannot be a JROTC class.

We recognize the importance of JROTC and we have it as an elective physical education class and that's what it is and should be. It is elected to be in it. We can't mandate kids take that class. So it doesn't do any good for us in physical education to lower our class size, because it's an elected class and that actually makes it worse for the general physical education classes because our elective physical education classes get averaged in with the general physical education class and so now we have a larger number in the general physical education classes because of that elective drawing down a smaller number, because it can't be mandated. So those are the things that are critical to us to make these

changes. We've made these changes and we don't want to go backwards. We don't want to go back to what was happening before that caused a lot of the problems. This is going to cause a lot of confusion at the district level on credentialing, who can teach PE, what content can be taught. It is unrealistic to think that we can teach physical education content in those eight content areas and teach another curriculum in JROTC which is mostly social studies, government, and a small portion is physical training.

Chair Darling-Hammond
Thanks so much. Can you wind up now?

Commissioner Young
Just a quick question. If this authorization was to be approved, as a district you would still have the authority not to utilize these teachers for PE instruction. You can still continue with your PE program the way you want?

Mr. Fenwick
Yes, we could. It would be much more difficult though because of the fighting that would have to go on.

What happens is it gets so much of this going on, it drains so much of our energy. It takes away from us making our programs better, our teachers better. If we have a decision and stick with it like we have with these Ed Codes that are in place and now that we started monitoring them and adhering to them, things are working. Once we start confusion and allowing substitutions and now saying well now maybe over here they could do this and this, fighting for this becomes the big attraction and where all the energy goes rather than professional development.

Response is provided at the end of the oral comments made by Commenter 6.

Chair Darling-Hammond
Thank you. I appreciate it. We have a lot of speakers and want to be sure that everyone that has traveled here to speak to us has a fair opportunity to comment, so thank you so much. We appreciate it. Next is Cindy Lederer, Physical Educator. State your name and affiliation for the record.

3. Cindy Lederer, Physical Educator, Fairfield-Suisun Unified School District *(Personal Opposition)*
Comment: I am a physical educator with Rodriguez High School and I am also the vice president of California Association of Health, Physical Education, Recreation and Dance. I am also an Air Force brat; I am also a Navy wife, retired. My husband's retired and I appreciate and understand and have lived the military life and I am not speaking from a place that I don't know about. I also was a drill director at Helix High school in La Mesa, CA in San Diego County. I am a baton twirler so I am very well versed in drilling and physical fitness.

I am here today as a physical educator in the high schools to let you know that… let's cut to the chase here…The reason this has come up is because of several things. One is that we all have our place in our high schools and our subject matters and in your document it says

thereby if you grant this that this has come up because by creating a potential for enrollment might decline in the ROTC and the BMD programs.

We see that all the time with a four year art program, with a four year music program and what it causes, it causes pitting against each other in the subject matters for the students. Also cutting to the chase, it's about letting the kids have flexibility in their schedule. I can't tell you and I'm very passionate about what I do…if our kids aren't healthy, how are they going to learn? If you don't have your health, how do you live? So my job is to teach them how to stay healthy. Physical activity with physical fitness with the military and drills, the marching and other things that they do helps keep kids fit. But my job is to tell them why they need to keep fit and how they're keeping fit. Flexibility in their schedule…it has been proven that kids can fit physical education in their programs if the school district will allow zero-period and allow flexibility in having paying teachers to teach after class, after school hours and giving kids a course. There are ways to get around this but it all comes down to getting the kids to have room for these four year programs.

Response is provided at the end of the oral comments made by Commenter 6.

Chair Darling-Hammond
Thanks so much, appreciate it. The next one is Michael Wright a professor at CSU Sacramento.

4. Michael Wright, Professor, Department of Kinesiology and Health Science, CSU Sacramento *(Personal Opposition)*
Comment: I'm a professor in the Department of Kinesiology and Health Science at CSU Sacramento. My primary function in life is to prepare quality physical education teachers at the university level and I do so using the CTC documents that demonstrate quality training at the university level for preparation of teachers. We're not here today because California is in need of more quality physical education teachers. We have them. We're here because the ROTC would like to share in that responsibility. The ROTC, for lack of a better term, will turn to those that work in the discipline in order to do what was so eloquently said earlier, to prepare them to do the job that we're already doing. So this need is not for students in California. This need is not for quality teachers in California; this need is for a particular individual program within the schools. I think the important word for you to hear today is mandated. This will be the first step in providing for specialization authorization credentials for what we consider to be mandated curriculum in the schools in California, not specialization curriculum, not special needs to address individuals within the school that need particular expertise but the mandated curriculum of physical education, which is mandated to be four years in California and each school is given their own district option of testing out of 2 years, which all of them do. So we have two years at the high school level in which to impact the youth of California to be healthy, to be fit and exercise and to include those things in their life style. So we're already limited to two years. At the junior/senior level it's an elective in most cases. And that's where experiences like the ROTC specialization techniques and whatever the district wants to offer for requirements can be offered to those students. At the freshman and sophomore level it's imperative that they continue the mandated and sort of synchronized curriculum that we design in the profession of teacher preparation for our students of California. If the ROTC is going to do that work in preparing curriculum that is already there, they are going to be coming to us

anyway and I promising you that I am sending out numbers of students each and every year based on the document that you have given me with preparation in exercise physiology, biomechanics, motor learning, team sports, individual sports, dance, aquatics and the like. All verbiage that this institution uses to tell me what I should be doing and I spend countless hours and resources meeting your documents to show that I am preparing the quality teachers. Today, you have an opportunity to circumvent that system and allow for people who don't go through that rigor to become a part of the teaching of mandated curriculum of California and I have great concern for that.

Chair Darling-Hammond
Thank you.

Commissioner Martin
Some of us are confused if the speakers are actually for or against it; you are making good points for both sides. It would be helpful if you would maybe start by saying "I'm here to speak in favor/I'm here to speak against. "

Dr. Wright
I'm against.

Response is provided at the end of the oral comments made by Commenter 6.

Chair Darling-Hammond
Thank you very much. Dr. Joanie Verderber.

5. Joanie Verderber, Board Member and Past President, California Association for Health, Physical Education, Recreation and Dance *(Personal Opposition)*
Comment: I am currently an education administrator. I work at a county office of education. I have been a teacher for a number of years in many of the different public school settings. I am opposed to this proposal. I spent a lot of time last night looking through the documentation and I found so many inconsistencies and pathways to confusion. The two letters by the Mt. Diablo School District staff talked about being able to give physical education credit for ROTC, that this will help them with their scheduling. But yet, I read back in the analysis and they're not going to be able to teach all of the eight content areas. So already in your documentation you have already demonstrated the confusion that is going to be set forth in school districts and those of us at the county office of what we're going to have to try to do not to mention what is going to happen when it's time for the federal program monitoring on physical education. I looked again at a lot of the different information and I tried to figure out what is this really about. There are two types of courses at the high school and your know this. There are the mandated courses for the high school diploma and there are electives. There is no other mandated course for the high school diploma, just like Dr. Wright just spoke about, in which you have someone giving high school credit for a diploma that does not have a bachelor's degree. No other content area and so by approving this, you are going to now set precedent and I just sit here and look at the four years. I mean, I got the curriculum and I'm looking and I'm saying advanced citizenship and American history and you the people and citizenship skills and I'm wondering if the numbers don't go up, will our counterparts from history/social science to be the next ones sitting at this table. The precedent…..

Chair Darling-Hammond
Thank you very much. Can you round up your last sentence.

Dr. Verderber
You have an ethical, a moral and professional responsibility to the students in California to maintain high teaching standards. I am opposed to this proposal.

Response is provided at the end of the oral comments made by Commenter 6.

Chair Darling-Hammond
Our next speaker is Ken Burt from the CTA. I see the next two speakers would like to yield their time to Ken Burt.

6. Ken Burt, California Teachers Association *(Organizational Opposition)*
Comment: Actually the next three speakers.

Chair Darling-Hammond
That will give you Ken, 8 minutes.

Mr. Burt
Four times three where I come from I get a different figure.

Chair Darling-Hammond
I asked people to keep it to two.

Mr. Burt
We're passing out a document that has some revisions in it. Earlier drafts sort of victimized me spell check and had formally versus term formerly. *(A copy of Mr. Burt's letter referenced here is provided in Tab 13 of Binder 1.)*

I represent 325,000 teachers. Our policymaking body state council voted on this item and they voted to oppose. One of the things that this item is….I did an analysis on and I find in life we solve problems by finding the issues. It takes us a long time to find the issues sometimes. The issue is really not about patriotism, it's not about ROTC and it's not about basic military drill and their value. They do have value.

It's not about strengthening a local decision. That's an absurd argument. When you do the research, you find out in 1985 we adopted certain mandated courses in California. That has been unchanged since 1985. What has happened now since 1985? 1985 the legislature said this is what we're going to do.

It's not about giving students more choices. When we wrap ourselves in students we delude ourselves. They already have that choice. Again, it is about attempting to give one select group leverage over a local school board or to coerce a local school board. In a day that we talk about LCFF, which is Local Control Funding Formula, we are talking about this movement back to local control. Local districts have had this authority to grant credit for alternative models since 1986 if they work with parents.

Nothing has changed. In districts that find ROTC desirable, as well as music, as well as basic military drill, they give full faith and credit to this. That's something the legislature gave to them. What is this all about? Frankly, unfortunately it may be about the perception that you're trying to be used to end run the legislature and I'll talk to you about why that's a problem in a minute. It's also a big problem as you saw and I really didn't anticipate this – is over the last 50 years or so, CTA has worked very closely with CTC to develop credibility, to develop high standards, to develop integrity, to develop fidelity and inadvertently this issue may jeopardize this all because you are dealing with a situation, you are taking a step backwards. You are doing something with a mandated course, you're creating a situation with a mandated course where people can do this without a bachelor's degree. I think it's important that we really understand what the issue's about. We are opposed. 325,000 of us are opposed because it is unnecessary. Again I want to highlight my letter. There were five states cited that had done something with this. These other five states, and that was cited for authority. Upon analysis, four of those states had mandated something and five say it's up to your discretion. We have a discretion model. That says to us that the legislature decided this. You'll see in my extensive footnotes, in 1985, the legislature decided what this scheme would be and I use scheme in the most positive term. It is their function to make that policy decision. In some jurisdictions, four of 50, they decided that ROTC as a matter of public policy should be given full faith and credit for a mandated subject. We did not do that in California. The legislature decided not to do this. Now, one of the issues, there is some very curious language repeatedly replied to people's comment, it says this thing is terrible. It stinks on ice, it undermine standards. The constant reply there is there's nothing here that will compel a district to grant this. Now the language is extremely curious. Nothing will compel the district. Since 1986, the district has had the authority to do this.

Since 1986, no district has ever been called to account for deciding what they are going to give alternative model or not. Since 1986 no district has come in and said, "Oh, CTC will you please strengthen my decision. Whatever you do, please strengthen my decision." That is all smoke and mirrors. I think the person earlier that said let's cut to the chase it's an attempt to give one course preference, to give preferential advantage to go to the local school board and say "We want you to grant credit and we have the good housekeeping seal of approval from the Commission on Teacher Credentialing." Normally I take the position, if you mean what you say, you should put it in writing. If you notice on page 4, I say "if you really mean that this in no way disturbs the board's authority, the local board, local control, the word is local control, that you will add in to your language "nothing contained herein is intended to otherwise limit or in any way modify the authority of the local governing board under Education Code section 51225.3(b). And again, I want to highlight that section for you.

That section has been there since 1986 and it allows districts to make alternative models. It is not saying this is an exemption for ROTC. If you see the statute in there, in 1986 the legislature decided who gets excused from PE; what are the substitutions for PE, and they left this minor exception for districts to do this.

The most serious issue that unfortunately has arisen is I'm going to conclude with. We feel that number one, it's unnecessary. Students already have those options. The real issue, gut issue, is are you going to allow a mandated course to be undercut by somebody without a bachelor's degree and a great number, if we say do we look at….I'll finish…..do we…this

is curious, we managed to make a list of names this time, we've got more names this time than more names on the other side, this is not a voting process. The question is, what makes intellectual sense and the great thrust of authority, in other words, the educational experts, which we're supposed to be set up doing here, the education experts, have said to you "do not do this."

Chair Darling-Hammond
Thank you.

Mr. Burt
I have one sentence. No matter the temptation, no matter the pressure, the education experts are asking you to act with dignity and fidelity to the high standards and I believe the Commission's credibility is at stake here. Thank you.

Chair Darling-Hammond
Thank you very much. The next speaker is Brian Anderson

Response to Oral Commenters 2 through 6:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7) and holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will only authorize the holder to teach physical education courses in basic military drill and physical fitness training offered within BMD and/or ROTC courses. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision.

Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

7. Lieutenant Colonel Brian Anderson, Chief of Staff, California Military Department *(Personal Support)*
Comment: I am the Chief of Staff of the California Military Department's Youth and Community Programs Task Force and I would encourage the recommendation of adopting the proposed language pertaining to the Designated Single Subjects Teaching Credentials. The physical education community is passionate about fitness and health, so is the military. Mission Readiness non-Profit Organization recently evaluated 80% of high school graduates do not meet the physical standards for the military. This is not just a concern for the military. It's a national concern. When you look at obesity, diabetic issues, high blood pressure, lower back pain, etc. and how they impact the workplace in the modern world. First, I'd like to mention a comment that was addressed by the members of this hearing, Credentials…or bachelor's degrees. First, I want to let you guys know that all army officers, regardless of if they are Army Reserves, National Guard, Department of Defense, Air Force, Coast Guard….all officers are required to have bachelor's degree. I have a Bachelor's degree from San Diego State. I have a master's degree from the University of

Phoenix. That is very typical of all DOD officers. Now, while some of the subordinates, my NCOS that work with me do not have a degree, I am responsible for overseeing and supervising those programs. We do carry bachelor's degrees. In addition to that, my background, the civilian education has got a lot of military education, organizational skills and leadership and I taught at the ROTC level at the college program, which included not only military science, history and physical fitness labs in the morning. Military type programs are important to us because they are physically demanding.

We do weekend ruck marches, navigation over 6 miles of terrain. We look at how our profession demands physical fitness and a healthy lifestyle. It is a lifestyle to us. We're not just talking about physical running, how many pushups you can do but also how you eat, your nutrition, your flexibility. All these things roll into a person and makes them/gives them the ability to do the functions necessary for our career field.

Military programs have sponsored or spurred on programs such as Crossfit, PX90, TRX bands and other innovative ways to help excite people to get into fitness. People respond differently to different programs. Some like the military education models, some do not. So the military tries to adapt as we can to increased fitness and education as a lifestyle through the various different programs that we learn about. In 2010, the army physical fitness center, some of the best minds, both military and civilian in the world, came together and updated all of our physical fitness programs. I can provide those kinds of documents and supporting stuff to this Commission or anybody else on some of those great programs that talk about, strength, endurance core strength, health and fitness, nutrition, etc.

Chair Darling-Hammond
Can you wind up your last thoughts, thank you?

Mr. Anderson
We're in 53 schools statewide. Some of our programs that we have are challenge programs. These are residential schools with county offices of education. We take at risk kids that are failing or dropping out of schools and we help work with educational partners at the county offices of Ed and turn their lives around. These kids come in and over a period of 6 months, they lose up to 60 pounds. We turn their lives around in nutrition. We show these kids what a healthy lifestyle can do for them. Allows them to focus in class.

They participate in programs like morning running programs in which several of the actual teachers that teach math, science, whatever, join the kids in the morning runs. They change their lives around. That's what we're about doing. As chief of staff, I can direct my staff to work with the PE staff, it's at the school level and if we ever fail to meet standards, the school teachers and administrators can disallow us to be there and we will work with them to make sure that standards are met. It's a lifestyle and we encourage it and we live it. Thank you very much, Ma'am.

Response: No response.

Chair Darling-Hammond
Next speaker is Jenny Teresi.

8. Jenny Teresi, Human Resources Administrators, San Bernardino and Riverside Counties *(Organizational Support)*
Comment: At the local level, we really don't see that this would have much impact really on how they make those decisions as to whether to offer the PE credit or not. It's a local level decision, if the board of trustees says yes we are going to do this for a variety of reasons then these teachers that maybe are able to earn this PE authorization, it's really not going to change that decision because they already have that authority and there's other assignment options available to districts.

So we don't see this as a problem. We are in support of allowing an additional pathway for those teachers to demonstrate their knowledge and skills. We don't see it as a problem or causing confusion. The districts understand ROTC credential holders can't teacher regular PE, general Ed PE, so for those districts that want to implement those standards within their programs, we don't see this as posing a problem. I do want to mention that you know there's a lot of work being done in recent years on collaborating with the UC's on allowing some CTE courses to meet A-G requirements and some of those teachers do not have bachelor's degrees. I mean it's happening, there is some credit being given out there. There's a lot more flex…there's just more looking at the linked learning and other ways of getting kids through high school and meeting those high school requirements and these programs really, they do keep some kids in school. And it's sometimes a real matter of whether they are going to succeed and districts take this very seriously. They don't want to undermine PE but they also feel like they need that flexibility sometimes to go this route so thank you very much.

Response: No response.

Chair Darling-Hammond
Our final speaker is Brendan Twohig. Thank you.

9. Brendan Twohig, California Center for Public Health Advocacy *(Organizational Opposition)*
Comment: We're coming at this from a public health perspective. We're in opposition to the proposal. I wanted to provide some context from the health perspective for your decision today. Over the past 30 years, obesity rates have more than tripled for adolescents. They have quadrupled for children between the ages of 6 to 11. Nearly 40% of California's children are overweight. That leads to higher incidences of diabetes, heart diseases, asthma, cancer and other health issues. In fact, one in three children born today is expected to developed diabetes in their lifetime. So we think that quality physical education classes that help to teach children how to be heart healthy for life is absolutely essential for our efforts to combat the obesity epidemic and diabetes epidemic and we think this is a step backward on that front. So we urge you to not accept the proposal. Thank you.

Response: This comment assumes facts that have not been presented to the Commission. No data has been provided to the Commission to indicate that the Special Teaching Authorization in Physical Education will directly or indirectly cause higher obesity prevalence or health issues in California public schools.

Written Responses Received After the Close of the 45-Day Comment Period

The Commission received the following additional written responses to the public announcement after the close of the public comment period:

Support	***Opposition***
0 organizational opinions	1 organizational opinions
749 personal opinions	21 personal opinions

Total Late Responses: 771

The late comments provided below are included in the record but do not require a summary or response [reference Government Code §11347.3(b)(6)]:

Late Written Responses Representing Organizations in Support: None.

Late Written Responses Representing Individuals in Support:

1. Esther Abiguell
2. Alexander Acayturri, Citizen
3. Angel Aceves
4. Damian Acosta
5. Krystal Acuna, Citizen
6. Anthony Aguilar
7. Christine Aguirre, Citizen
8. Jasmine Aguirre
9. Elsa Ahumada
10. Dorothy Ajotau, Citizen
11. Armine Akopyan
12. Alexis Alapizco, Citizen
13. Isabel Alarcon
14. Andrew Alavasorez, Citizen
15. Christian Aleman, Citizen
16. Jose Alemon
17. Alexis Alvarado
18. Andrea Alvarado
19. Antonia Alvarado
20. Ashley Alvarado, Citizen
21. Janet Alvarado
22. Jonathan Alvarado
23. Karla Alvarado
24. Alan Alvarez, Citizen
25. Alex Alvarez, Citizen
26. Alexia Alvarez
27. Carlos Alvarez, Citizen
28. Mark Alvarez
29. Emilio Alvear
30. Luke Alviar
31. Jasmine Amador
32. Megan Amaya
33. Vivian Andrade
34. Mario Angel, Citizen
35. Kyle Antonio
36. Isabelle Arbayo
37. Eduardo Arroyo
38. Laya Ashley, Citizen
39. Raymond Atencio II, Citizen
40. Kareem Atkins, Citizen
41. Brice Avalos
42. Brittany Avila
43. Wilber Ayala, Citizen
44. Alex Baber, Citizen
45. Kristian Bacarro, Citizen
46. Brandon Bachan
47. Kayla Bajas, Citizen
48. Roberto Balderas
49. Roxanne Balderas
50. Robert Balderos Jr
51. Seana Balderrama, Citizen
52. Breauna Barajas, Citizen
53. Isaac Barba, Citizen
54. Priscila Barrios, Citizen
55. Gary Bass
56. Brandon Bassler, Citizen
57. Jessica Batres, Citizen
58. Xavier Bauer
59. Kevin Baxter, Administrator
60. Robert Bean
61. Johnathan Beech, Citizen
62. Monica Beech, Citizen
63. Michelle Bees, Citizen
64. Theophilus Ben-Acquah
65. Gerardo Benegente
66. Christian Benitez, Citizen

67. Michael Bernahe, Civilian
68. Candice Bernal
69. Carmen Bernal, Citizen
70. Emily Bernbaum, Citizen
71. Thomas Berumen
72. Nika Biers, Citizen
73. Donte Black
74. James Bladrimere
75. Connor Blair
76. Jessica Blair
77. Mike Blair
78. Hannah Blair
79. Angel Blas, Citizen
80. Yasmin Bohn, Citizen
81. Larry Bones
82. Saul Bonilla
83. Kimberlin Botello
84. Jesse Breslin
85. Christopher Briggs, Citizen
86. Deborah Brockus, Citizen
87. Donovan Brooks
88. Jeremy Brooks, Citizen
89. Gerardo Buenagente
90. Xitaly Bueno
91. Bryan Buga
92. Karli Burk, Citizen
93. Justin Burns, Citizen
94. Lizander Cabrera, Citizen
95. Joshua Cain
96. Valery Cain, Citizen
97. Mercy Calderon, Citizen
98. Devin Caldwell, Citizen
99. Jesus Calixto
100. Jose Calixto
101. Lucifer Calixto
102. Johnathan Camarena
103. Karina Camarillo
104. Angel Campos, Citizen
105. Michael Campzano
106. Danielle Canadray, Citizen
107. Jacob Canales, Citizen
108. Zamir Carballo
109. Xavier Cardenas, Citizen
110. Brittany Cardillo, Citizen
111. Jazmin Cardozo
112. Amaya Carrasco
113. Angel Carrasco, Citizen
114. Carla Carrillo, Citizen
115. Dwayne Carrington, Citizen
116. Tay Casey, Citizen
117. Bryan Casillas
118. Damian Casillas, Citizen
119. Maria Castellanos
120. Anthony Castillo, Citizen
121. Erika Castillo, Citizen
122. Agustin Castro
123. Aura Castro, Citizen
124. Jordan Castro
125. Andrew Cervantes, Citizen
126. Dohnna Cervantes, Escrow Officer
127. Yolanda Cervanty
128. Nicholas Cespedes
129. Annar Chable, Citizen
130. Zahairie Chable, Citizen
131. Sasha Chasen, Citizen
132. Gerardo Chavez Jr, Citizen
133. Ashley Cheluca, Citizen
134. Bismarck Chiang, Citizen
135. Pablo Chicon
136. Vanya Chunakov, Citizen
137. Maria Cisneros, Parent
138. Johnathan Clayton
139. Roy Cleland, Citizen
140. Ivy Collier
141. Buddy Concepcion, Citizen
142. Camille Concepcion, Citizen
143. Katrina Concepcion, Citizen
144. Kevin Concepcion, Citizen
145. Leana Concepcion, Citizen
146. Manuel Concepcion, Citizen
147. Scotty Concepcion, Citizen
148. Edgar Contreras, Citizen
149. Maricruz Corona, Dispatcher
150. Alyssa Corrigan, Citizen
151. Joseph Corrino, Citizen
152. Eduardo Cortes
153. Cristian, Citizen
154. Paul Croce
155. Nadine Cruz
156. Darius Curiel, Citizen
157. Brieanne Dana, Citizen
158. Paul Davis, Teacher
159. Sharilyn Dawkins, Citizen
160. Isaiah Dawson, Civilian
161. Manuel De La Paz, Citizen
162. Jannet de la Torre, Citizen

163. Rodrigo De La Torre, Citizen
164. Vanessa DeAvila, Marriage & Family Therapist Intern
165. Michael Deleon, Citizen
166. Jacqueline Delgado, Citizen
167. Gage Delmark, Citizen
168. Alondra Depaz, Citizen
169. Amy Diaz, Server
170. Jose Diaz
171. Makayla Diaz, Student
172. Ruben Diaz
173. Aliecia Dieker, Citizen
174. Destiny Do
175. Oscar Dominguez, Citizen
176. Ben Dovey
177. Cristian Duarte, Citizen
178. Larissa Duran
179. Donald Ecton, Title Officer
180. Edward, Citizen
181. Carly Eis, Citizen
182. Glori Ann Eisenman, Citizen
183. Mauricio Elvine, Citizen
184. Kathy Enciso, Parent
185. Rolando Enciso, Citizen
186. Aaron Encke, Citizen
187. Allison England, Citizen
188. Jonathan Enriquez, Citizen
189. Nolan Enriquez
190. Irma Escobedo, Citizen
191. Linda Escobedo, Citizen
192. Jordan Escobido
193. Esperanza, Parent
194. Carlos Espericueta
195. Milissa Espinoza, Payoff/Escrow
196. Damian Farogui
197. Kailey Farrel, Citizen
198. Allen Flloyd, Citizen
199. Alex Flores, Citizen
200. Bladamir Flores
201. Frank Flores, Citizen
202. Lori Flores, Citizen
203. Darian Fontes, Citizen
204. Lailonnie Fort, Citizen
205. Jess Fountain, Citizen
206. Paul Fox
207. Leoncio Franco, Citizen
208. Brandan Frazier, Citizen
209. Lesly Fuentes
210. Spencer Galikawitz, Citizen
211. Enrico Gangale, Citizen
212. Alex Garcia
213. Andrea Garcia
214. Ashlie Garcia, Citizen
215. Fernando Garcia
216. Jacqueline Garcia, Citizen
217. Jesus Garcia
218. Kimberly Garcia, Citizen
219. Marbella Garcia
220. Timothy Garcia
221. Eric Garcia-Sanchez
222. Joel Garfield
223. Shauna Garrett, Parent
224. Anthony Gil
225. Xavier Gimeno
226. Jose Giron, Citizen
227. Alice Gonzales
228. Jesus Gonzales
229. Adam Gonzalez, Citizen
230. Bernadette Gonzalez
231. Edgar Gonzalez
232. Fray Gonzalez
233. Jennifer Gonzalez, Citizen
234. Jose Gonzalez, Citizen
235. Leslie Gonzalez
236. Skylar Gonzalez
237. Tatiana Gonzalez, Citizen
238. Yajaira Gonzalez, Citizen
239. Janelle Good, Citizen
240. Manuel Granados
241. Michael Grant, Citizen
242. Justin Guerra, Citizen
243. Elena Guerrero, Citizen
244. Jerry Guerrero
245. Karla Guerrero, Parent
246. George Guillen
247. Steven Gumber
248. George Guzman, Citizen
249. Gerson Guzman, Resident
250. Antonia Hall
251. Elijah Hall, Citizen
252. Tammy Hall, Citizen
253. Jacob Hamner, Citizen
254. April Harmon
255. Cara Harnitchek, Citizen
256. Katherine Harnitchek, Citizen
257. Liana Harnitchek, Citizen

258. Venton Hart
259. Lucas Harte
260. Nathan Hartford
261. Mike Hawk
262. Kylie Hejnicki
263. Karissa Henderson, Citizen
264. Tracy Henderson
265. Brian Hendt
266. Aileen Hernandez, Citizen
267. Anthony Hernandez, Citizen
268. Christopher Hernandez, Citizen
269. Denise Hernandez, Citizen
270. Jorge Hernandez
271. Juan Hernandez, Citizen
272. Kaory Hernandez
273. Manuel Hernandez, Citizen
274. Daphne Herndon, Parent
275. Guadalupe Herrera
276. Priscilla Herrera
277. Christian Hetzler, Citizen
278. George Hinojosa, Citizen
279. Giselle Hinojosa
280. Miracle Holifield, Citizen
281. Cassidy Hooper, Citizen
282. Gary Hoover
283. Melran Hossain
284. Luke Howark
285. Katie Huong, Citizen
286. Karim Hyderali, Citizen
287. *Illegible Signature*, Citizen
288. Keven Izozaga
289. Dakota Jackson
290. Demetrius Jackson, Citizen
291. Ronee Jackson, Citizen
292. Johnathan Jarris, Citizen
293. Ayala Jiha, Citizen
294. Mohmoud Jiha, Citizen
295. Amaya Jimenez
296. Saul Jimenez, Citizen
297. Tammy Joe
298. Carl Jones
299. Christopher Jones, Citizen
300. Jamie Jones
301. Johanna Jones, Mother
302. Khalyl Jones, Citizen
303. Pamela Juarez
304. Humberto Juarez, Citizen
305. Samantha Jue-Torroz
306. Tommy Karmilo, Father
307. Makayla Kennedy-Penhall
308. Caroline Kim
309. Janet Kim
310. Joshua Kim-Park
311. Benjamin Kindle, Citizen
312. Jarid King
313. Marlyn King, Citizen
314. Marvin King, Citizen
315. Isaiah Kingsberry, Citizen
316. Madison Kingsberry, Citizen
317. Jeff Knudsen, Citizen
318. Kellie Kogan
319. Jerome Laboa
320. Thanh Lam, Citizen
321. Lesley Landeros, Citizen
322. Frank Landy
323. J Lara, Citizen
324. Kailyn LaSalle
325. Maria Ledesma
326. Sara Lee
327. Ronaldo Leja
328. Alex Lennon, Citizen
329. Diana Leon
330. Phillip Light
331. Pamela Limon, Parent
332. Tony Lindas
333. Alexis Little, Citizen
334. Edward Little, Citizen
335. DeAnthony Little-Pelsue
336. Alex Llantada
337. Jose Llarias
338. Analeze Lobo, Citizen
339. Mariah Lofgran, Citizen
340. Jacqueline Lomeli
341. Danielle Loniza, Citizen
342. Adam Lopez, Citizen
343. Alondra Lopez, Citizen
344. Azusena Lopez
345. Carlos Lopez
346. Elvira Lopez
347. Jeremy Lopez, Brother
348. Luis Lopez, Citizen
349. Luis Lopez
350. Mike Lopez, Citizen
351. Yuri Lopez
352. Carlos Lovato
353. Christian Lowe

354. Gilbert Lucero
355. Esthela Luera
356. Shayla Lumar
357. Hector Lupercio
358. Kenny Ly, Civilian
359. Jackson Lynch
360. Terrah Lynch
361. Winfield Maben, Citizen
362. Erika Madrid
363. George Madrid, Citizen
364. Valencia Magaly, Citizen
365. Alondra Maldonado
366. Matthew Manjarrez
367. Jasmin Manzo
368. Juan Marban, Citizen
369. Emily Maret, Citizen
370. Jade Margason, Citizen
371. Isael Marquez Jr, Citizen
372. Ivy Martin-Diaz, Commandant of Cadets Administrator
373. Andrew Martinez
374. Carlos Martinez
375. Dorian Martinez, Citizen
376. Javier Martinez
377. Maria Martinez
378. Mario Martinez, Citizen
379. Steve Martinez
380. Gabby Mason, Citizen
381. Osman Mayorga
382. Lendra McConell
383. Hanson McKaig
384. Alex Medina, Citizen
385. Kevin Medina, Citizen
386. Javier Melendez
387. Joseph Mendoza, Citizen
388. Andrew Menjivar, Citizen
389. Jose Mercado, Citizen
390. Jesus Meza
391. Larry Milam, TAC NCO
392. Sean Miller
393. Danielle Miramontes, Citizen
394. Faith Miranda
395. Hector Miranda, Citizen
396. Luis Miranda, Citizen
397. Christopher Mitchell
398. Audy Moma, Citizen
399. Amy Mondragon
400. Lorena Montoya, Mother
401. Jacob Moore, Citizen
402. Brian Morales
403. Fernando Morales, Citizen
404. Kimberly Moran
405. Larry Morden, Executive Officer
406. Luis Moreno, Student
407. Deborah Morgan
408. Troy Morgan, Citizen
409. Luis Morrjon, Teacher
410. Aya Moshe, Respite Caregiver
411. Bath-Sheva Moshe, Caregiver
412. Dani Moshe, Repair Man
413. Raffi Moshe, Student
414. Yoram Moshe
415. Anjal Moya, Citizen
416. Luis Mulato, Citizen
417. Desiree Munguia-Castillo, Citizen
418. Anthony Munoz
419. John Muray
420. Annabelle Murrieta
421. Joshua Narro, Citizen
422. Hana Nasrallah, Citizen
423. James Neigh
424. Justin Nemes
425. Caren Nicdauo, Citizen
426. Teresa Nieto, Citizen
427. Christopher Nunez
428. Giarrarlo Nunez, Citizen
429. Omar Nunez, Citizen
430. Andre Obispo
431. Samantha Olachea
432. Alyssa Olalde, Citizen
433. Brenden Oliva, Secretary
434. John Oliva
435. Alejandro Oliveros-Jordan, Citizen
436. Mireya Orozco, Citizen
437. Giosemar Ortiz, Citizen
438. Moriah Ortiz
439. Ethan Osorio
440. Tyler Pacheco, Citizen
441. Andrew Palacios
442. Marian Pappas, Citizen
443. Zachshe Pard, Civilian
444. Kiley Parra, Citizen
445. Rosita Parra
446. Donavan Patin, TAC Officer
447. John Paul
448. Thunoit Pennant

449. Marcelo Peralta, Citizen
450. Adessa Perez, Citizen
451. Brenda Perez
452. David Perez, After School Assistant Site Coordinator
453. Dianna Perez, Parent
454. Hector Perez, Guardian
455. Jhon Perez
456. Jose Perez, Citizen
457. Jovanny Perez, Student
458. Juan Perez
459. Manny Perez, Citizen
460. Ruben Perez, Citizen
461. Jimmy Pham
462. Johnothan Pham
463. Tony Piana
464. Alberto Pimentel, President Don Bosco Technical Institute
465. Justina Pimentel
466. Salvador Pimentel
467. Dora Pimentel-Baxter, Administrator
468. Ruben Pineda
469. Christian Pinn, Citizen
470. Claire Ponds
471. Alondra Portillo, Citizen
472. Andres Portillo
473. Angel Pratt
474. Rafael Preciado, Citizen
475. Tyler Price, Citizen
476. Alexis Prieto
477. Carolina Prieto
478. Isaac Prudencio, Citizen
479. Dimitriy Pyagay
480. Luis Quezada
481. Omar Quezada
482. Vanessa Quintero
483. Zahin Rahmin
484. Ariel Ramirez, Citizen
485. Isaac Ramirez, Citizen
486. Isaac Ramirez
487. Jose Ramirez, Citizen
488. Jorge Ramirez
489. Lucy Ramirez
490. Marlene Ramirez
491. Robert Ramirez, Citizen
492. GaBryella Ramos, Citizen
493. Karina Ramos, Citizen
494. Lesley Ramos
495. Viviann Ramos
496. Alex Rangel, Citizen
497. Angel Rangel, Citizen
498. Sara Rangel, Citizen
499. Ali Razo
500. Ernest Rea
501. Antonia Reyes
502. April Reyes
503. Elizabeth Reyes, Citizen
504. Elva Reyes, Citizen
505. Javier Reyes, Citizen
506. Richard Reyes
507. Dalton Richards
508. Alec Richter, Citizen
509. Maddison Rickard, Citizen
510. Miguel Rico
511. David Rios, Citizen
512. Francisco Rios, Parent
513. Kimberly Rios
514. Marco Rios, Teacher
515. Edlyn Rivas
516. Kaila Rivas, Citizen
517. Luis Rivas, Citizen
518. Alexander Rivera
519. Bianka Rivera, Citizen
520. Jonna Rivera, Citizen
521. Veronica Rizo
522. Roger Roa, Citizen
523. Julian Robledo, Citizen
524. Alexandra Rodriguez
525. Christian Rodriguez
526. David Rodriguez
527. David Rodriguez
528. Giselle Rodriguez
529. Jessica Rodriguez
530. Jesus Rodriguez
531. Jose Rodriguez
532. Kathy Rodriguez, Citizen
533. Laura Rodriguez, Citizen
534. Oscar Rodriguez, Citizen
535. Quentin Rodriguez, Citizen
536. Raul Rodriguez
537. Ryan Rodriguez, Citizen
538. Sebastian Rodriguez, Citizen
539. Jamie Rodus
540. Brett Rojas
541. Euz Rojas, Citizen
542. David Romero

543. Bertha Rosales
544. Evanks Rosales, Citizen
545. Albert Rosaria
546. Eloy Rosas, Citizen
547. Lesley Rosas, Citizen
548. Dianna Ross
549. John Ross, Dean
550. Christian Rubalcava, Citizen
551. Emily Rubalcava, Citizen
552. Daniel Ruby
553. Dayanara Ruiz
554. Marisabel Ruiz
555. Taylor Ruiz, Citizen
556. Dakota Russell, Citizen
557. Eleanor Ryan, Citizen
558. Dr. Mark Ryan, Superintendent
559. Leslie Salgado
560. Justin Samaan
561. Sean Samaan
562. Jesiah Samora, Citizen
563. Aaron Sanchez, Citizen
564. Ace Sanchez, Citizen
565. Angel Sanchez
566. Angela Sanchez
567. Carina Sanchez, Citizen
568. Emily Sanchez, Citizen
569. Eryk Sanchez
570. Esmeralda Sanchez, Citizen
571. Genesis Sanchez
572. Johnathan Sanchez, Citizen
573. Joseph Sanchez, Citizen
574. Magdalena Sanchez
575. Nicholas Sanchez, Citizen
576. Raquel Sanchez
577. Samuel Sanchez
578. Angel Sandoval
579. Nashla Sandoval
580. David Sandross, Citizen
581. Marilyn Sandross, Citizen
582. Marena Sangit
583. Emily Santacruz
584. Camille Santos
585. Darah Santos
586. Reynaldo Sarvic
587. Angel Saucedo, Citizen
588. Angelica Schneider, Citizen
589. Eric Schoenberg
590. Daniel Sebby, Citizen
591. Ernest Sebby, Retired
592. Seydina Seck, Citizen
593. Aaron Seng, Civilian
594. Joseph Serrano, Citizen
595. Teresa Serrano
596. Louie Sevilla
597. Marry Shaw
598. Ian Shin
599. Noah Shore, Citizen
600. Sophie Shore, Citizen
601. Sam Siegal
602. George Silva, Citizen
603. Yasmin Silva, Citizen
604. Bradley Simaow, Citizen
605. Jorge Simms
606. Anaih Simons, Citizen
607. Jorge Simons, Citizen
608. Patrick Simparo
609. Paul Sims, Citizen
610. A Singh
611. Harjinder Singh
612. Sandeep Singh
613. Demaun Singleton, Citizen
614. Phillip Smart
615. Ashley Smith, Citizen
616. Brian Smith, Title Officer
617. Matthew Smith
618. Sherell Smith, Citizen
619. Omar Solache, Supply and Logistics Officer
620. Daniel Soliz
621. Han Solo
622. Darlon Soltero
623. Jorge Soltero
624. Lorenzo Soriano
625. Rubi Sosa
626. Daniela Soto
627. Jose Soto, Citizen
628. Ronald St. Louis, Citizen
629. Dorie Steinberg, Counselor
630. Tyler Sterns
631. Chris Stone
632. Jennifer Stone
633. Joseph Stowe
634. Nadiya Strother
635. Katherine Suarez
636. Leon Tabor
637. Kris Taduran

638. Alicia Tamayo
639. Daniel Tapia, Citizen
640. Luis Tapia, Citizen
641. Saul Tarjonur
642. Jaina Taylor
643. Astrid Teder
644. Leah Telado
645. Corey Telamontes
646. Freddy Terrazas, Citizen
647. Natalie Terrazas, Citizen
648. Miguel Terriquez
649. John Terterran
650. Latoya Thomas
651. Daminique Thompson, Citizen
652. Emily Tickell, Citizen
653. Ari Tokhmaklian
654. Jennifer Torralva
655. Raquel Torres
656. Ruben Torres
657. Alan Tran, Citizen
658. Henderson Tran, Civilian
659. Jennifer Tran
660. Khoi Tran, Civilian
661. Jimmy Trinh
662. Jeremy Trongsan
663. Alondra Trujillo
664. Stephanie Trujillo
665. Emily Tubin
666. Tori Turner
667. Dakota Tweardy, Citizen
668. Alyssa Ulloa, Citizen
669. Bailey Underwood, Citizen
670. Jillian Underwood, Citizen
671. Savannah Urena, Citizen
672. Ani Vahradyan
673. Alex Valdez, Citizen
674. Ariel Valdez, Citizen
675. Gustavo Valdez, Citizen
676. Karen Valdez, Citizen
677. Miranda Valdez
678. Laura Valdovinos, Citizen
679. Johanna Valencia
680. Michael Valencia
681. Migaly Valencia
682. Octavio Valencia
683. Andrea Valle
684. Marian Valle
685. Theodoro Valle
686. Christina Valley
687. Kathy Valley
688. Diego Vargas, Citizen
689. Marc Vargas, Parent
690. Jessica Vasavez, Citizen
691. Amayrany Vasquez
692. Joel Vasquez
693. Yamileth Vazquez, Citizen
694. Adrian Vega
695. Miguel Vega
696. Germaine Velasco
697. Rafael Velasquez
698. Sasha Velasquez, Citizen
699. Andrew Vences
700. Jailene Vera
701. Christopher Verdugo
702. Rodion Videutsky
703. Alvaro Villa
704. David Villalobos
705. Juan Villalobos
706. John Villanueva
707. Matthew Villarreal
708. Christopher Villaverde
709. Jackeline Villegas
710. Jade Viztruso
711. Steven Vo, Citizen
712. Lenor Vorknin
713. Amy Vrazcan
714. Goth Wackee
715. Luke Walart
716. Steven Walken Nios
717. Clare Walters
718. Sammi Warren, Citizen
719. Mathew Washington, Citizen
720. Mon Pierre Washington
721. Andrew Waters, Citizen
722. Andrew Watt, Citizen
723. Dhamenic Webb, Citizen
724. Mitchell Weisberg, Student
725. Robert Wesson
726. Leigh Whanell
727. Jeremy Whisenant
728. Jamal White
729. Rihanna Wicken
730. Chris Williams
731. Cody Williams
732. Leslie Williams
733. Kelly Wilson, Citizen

734. Libby Wooten, Citizen
735. Daniel Word Jr, CTE Instructor
736. Andrea Ybarra
737. Soohyun Yoon
738. Elizabeth You
739. Denisha Yudittyhg
740. Alicia Yumiko, Citizen
741. Horik Zadikyan
742. Klachaton Zadikyan
743. Mariam Zadikyan
744. Benjamin Zagosky
745. Maria Zambrano
746. Amber Lee Zamora, Citizen
747. Carlos Zamora, Citizen
748. Pedro Zarale
749. Efrain Zendejas

Late Written Responses Representing Organizations in Opposition:

1. Harold Goldstein, DrPH, Executive Director, California Center for Public Health Advocacy

Late Written Responses Representing Individuals in Opposition:

1. Josh Berg
2. Kyle Blotzer, PE/APE Specialist
3. Carlos Bover, Physical Education Teacher
4. Dr. Laura Chase, Professor
5. Rene Enciso
6. Jason Franz, Physical Education Teacher/Department Chair
7. David Haiby, Adapted Physical Education Specialist
8. Barbara Hupp, CAHPERD, Los Angeles Region Representative #45/Adapted Physical Education Specialist
9. Keith Johannes, Legislative Committee Chair for CAHPERD
10. Erin Lawley, Physical Education Teacher
11. Joseph Lansing, Physical Educator
12. Cindy Lederer, Physical Educator
13. Kathryn Lieb, Physical Education Educator
14. Uyen Ngo, Resident of Los Angeles, CA
15. Chris Owens, Concerned California Parent
16. Norma Rahl, CSU Northridge Supervisor of Student Teachers
17. Gabriela Sanchez, Physical Education Teacher
18. Min Woo So
19. Drew Staker
20. Lorna Sturgeon, Physical Education Teacher
21. Dr. Perky Vetter, Chair, Department of Kinesiology and Health Promotion

15-day Notice Dated February 26, 2014 Written Comments:

The Commission received the following written comments in opposition of the proposed modifications to 5 CCR §80037 detailed in the 15-day notice dated February 26, 2014 that were received at the Commission or were postmarked by March 13, 2014:

Opposition

4 organizational opinions
5 personal opinions

Total Responses: 9

Responses Representing Organizations in Opposition of the Modifications:

1. Teri Burns, Senior Director, Policy & Programs, California School Boards Association
   Comment: We urge the Commission on Teacher Credentialing to add a special teaching authorization in physical education for holders of Designated Subjects Special Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corp in this section. We support the regulations as originally promulgated and urge the Commission to adopt the regulations as initially proposed. The proposed regulations will help ensure that military drill and JROTC instructors meet the higher standard of content knowledge required for physical education and enable local educational agencies to continue to exercise discretion regarding the assignment of physical education credits for these courses.

2. Sherry Skelly Griffith, Director, Governmental Relations, Association of California School Administrators
   Comment: The Association of California School Administrators (ACSA), representing over 15,000 school, district and county office of education administrators, strongly urges the Commission to add a special teaching authorization in physical education for holders of Designated Subjects Special Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corp. We support the regulations as originally promulgated and urge the Commission to adopt the regulations as initially proposed. The proposed regulations will help ensure that military drill and JROTC instructors meet the higher standard of content knowledge required for physical education and enable local educational agencies to continue to exercise discretion regarding the assignment of physical education credits for these courses.

3. Dr. John Snavely, Superintendent, Porterville Unified School District
   Comment: This letter is written in response to the 15-day notice regarding proposed changes to the Designated Subjects Special Subjects teaching credentials. The Porterville Unified School District administration is supportive of the clean-up language relative to these credentials, however, we request the Commission to seriously reconsider the decision not to adopt the proposed creation of a Physical Education supplement to the Designated Subjects Special Subjects Basic Military Drill (DSSSBMD) credential.

   The regulatory changes by the Commission of Teaching *(sic)* Credentialing (CTC) at its February 14, 2014, meeting would have allowed the addition of a DSSSBMD/Physical Education credential for individuals who demonstrated basic skills competence through passage of the CBEST and subject matter competence through passage of all three Physical Education CSET sub-tests.

   While we respect the opposition presented by the California Teachers Association regarding the fact that the proposed credential does not require a Bachelor's Degree, the proposed new credential would actually increase the competence of individuals teaching the California Cadet Corps (CACC) program and Physical Education (PE) courses within that program by requiring passage of the CBEST and Physical Education CSET exams.

   The other major point of contention articulated at the CTC meeting was the difference between physical activity and physical education. Those who spoke against the Junior Reserve Officers' Training Corps and CACC programs said they did physical activity but not physical education. That is simply untrue. The CACC curriculum has been designed to teach

to the California Physical Education Framework. At present, candidates for the DSSSBMD credential are required to complete a rigorous eighty-hour Basic Commandant Training Academy, which includes explicit instruction in the California Physical Education Framework and Content Standards, as well as designing and implementing a rigorous, standards-aligned PE program. Simply, the argument that the CACC curriculum is merely physical activity and not physical education is an argument not rooted in fact.

We strongly encourage the CTC to reopen the discussion about the creation of this new credential. We need this credential as a means to provide school districts with another tool to verify PE subject matter competence by California Cadet Corps teachers. School districts continue to have the sole discretion in whether, or no, to allow PE credit for the CACC course, but his *(sic)* proposed credential would allow teachers to demonstrate PE subject matter competence to their governing boards, and, therefore, make a more compelling argument to those governing boards about their suitability to offer a course for which Physical Education credit might be granted.

4. Richard B. Wallis, Principal/Commandant, California Military Institute
   Comment: Failing to allow the Special Authorization in Physical Education for Military Drill credential will have a devastating effect on JROTC and California Cadet Corps programs throughout the state. I urge the Commission to re-consider this action.

   Thank you and the commission in advance for considering these comments.

   Response to Commenter 1 through 4: *At the April 2014 Commission meeting, the Commission voted to restore to the proposed regulations the language pertaining to the Special Teaching Authorization in Physical Education with additional language requested by the California Teachers Association.*

Responses Representing Individuals in Opposition of the Modifications:

1. Major General David S. Baldwin, Office of the Adjutant General, California Military Department
   Comment: I am writing in response to the 15-day notice regarding proposed changes to the Designated Subjects Special Subjects teaching credentials. While the California Military Department is supportive of the clean up language relative to these credentials, I would request the Commission reconsider the decision not to adopt the proposed creation of a physical education supplement to the Designated Subjects Special Subjects Basic Military Drill (DSSSBMD) credential.

   The regulatory changes rejected by the CTC at its February 14 meeting would have allowed the addition of a Designated Subjects Special Subjects Basic Military Drill/PE credential for individuals who demonstrated basic skills competence through passage of the CBEST and subject matter competence through passage of all three Physical Education CSET subtests.

   While I respect the opposition presented by the California Teachers Association regarding the fact that the proposed credential does not require a bachelors degree, I am currently the authority responsible in Title 5 regulations for verifying both experience and competence ofr individuals recommended for the existing DSSSBMD credential, and much like various vocational education credentials granted by the CTC, possession of a Bachelors Degree is not

a requirement. Currently, I verify that individuals possess at least four years of military experience and a minimum competence of military knowledge and skill necessary to teach in the California Cadet Corps (CACC) program. The proposed new credential would actually increase the competence of individuals by requiring passage of the CBEST and PE CSET exams.

The other major point of contention articulated at the CTC meeting was the difference between physical activity and physical education. Those who spoke out against the JROTC and CACC programs said they did physical activity but not physical education. This is simply not true. The CACC curriculum has been designed to teach to the California Physical Education Framework and we require candidates for the DSSSBMD credential to complete a rigorous 80 hour Basic Commandant Training Academy which includes explicit instruction in the CA PE Framework and Content Standards as well as designing and implementing a rigorous, standards-aligned PE program. The curriculum of the Basic Commandant Academy and the CACC cadet curriculum were developed by one of my staff who holds an earned doctorate in curriculum and instruction from the University of Southern California. Simply put, the argument that the CACC Curriculum is merely physical activity and not physical education is an argument not rooted in fact.

I strongly encourage the CTC to reopen the discussion about the creation of this new credential. We need this credential as a means to provide school districts with another tool to verify PE subject matter competence by California Cadet Corps teachers. School districts continue to have the sole discretion in whether or not to allow PE credit for the CACC course, but this proposed credential would allow teachers to demonstrate PE subject matter competence to their governing boards and therefore make a more compelling argument to those governing boards about their suitability to offer a course for which PE credit might be granted. Thank you and the commission in advance for considering these comments.

2. Liane Cismowski, Principal, Mount Diablo High School
   Comment: As the principal of a comprehensive high school, I strongly support the CTC reconsidering of the proposed amendment to Title Five of the California Code of Regulations pertaining to designated subjects special subjects teaching credential EC51225.3 to establish a Special Teaching Authorization in Physical Education for credentialed teachers of Basic Military Drill (BMD) and Junior Reserve Officer Training Corps (ROTC.)
   The JROTC program provides an excellent alternative to traditional physical education programs. It is a proven successful model with many schools and school districts throughout the nation and the state of California already granting PE credit for JROTC classes. Because JROTC meets the same physical activity requirements mandated by the state for a PE program, the Commission's decision to grant a special PE teaching authorization to JROTC credentialed teachers will further legitimize this already-accepted practice.

   The special PE teaching authorization will give our academy students more options in their high school experience. We are a wall-to-wall academy model school, which limits the number and type of electives a student can take. If JROTC counts for PE credits, it will provide flexibility in the schedules of students who want to take JROTC but cannot due to state- and academy-mandated graduation requirements. Another constraint is that a large majority of our students are required to take remedial classes in order to pass the High School

Exit Exam and their requisite math and English classes. An additional benefit will be to help alleviate overcrowding in traditional PE classes.

Thank you for reconsidering your proposal to recognize the experience, training, and qualifications of BMD and ROTC teachers. I would like to register my enthusiastic support of this amendment.

3. Colonel Larry K. Morden, Executive Officer, California Cadet Corps
Comment: This letter is written in response to the 15-day notice regarding proposed changes to the Designated Subjects Special Subjects teaching credentials. As the Executive Officer and senior member of the California Cadet Corps, I am supportive of the "clean up" language relative to these credentials, but I would request the Commission seriously reconsider the decision not to adopt the proposed creation of a physical education supplement to the Designated Subjects Special Subjects Basic Military Drill (DSSSBMD) credential.

The regulatory changes rejected by the CTC at its February 14 meeting would have allowed the addition of a Designated Subjects Special Subjects Basic Military Drill/PE credential for individuals who demonstrated basic skills competence through passage of the CBEST and subject matter competence through passage of all three Physical Education CSET subtests. The California Cadet Corps teachers who would earn this new credential would be required to demonstrate increased basic and subject matter competence.

While I respect the opposition presented by the California Teachers Association and United Teachers Los Angeles regarding the fact that the proposed credential does not require a bachelors degree, the proposed new credential would actually INCREASE the competence of individuals teaching the CACC program and PE courses within that program by requiring passage of the CBEST and PE CSET exams. For over 30 years, I was a teacher in the Los Angeles Unified School District and while the UTLA and CTA reps claimed to speak for their organizations, I can tell you they did not represent those of us who taught the California Cadet Corps. The CACC teachers in UTLA and CTA are all 100% supportive of the proposed new credential.

The other major point of contention articulated at the CTC meeting was the difference between physical activity and physical education. Those who spoke out against the JROTC and CACC programs said they did physical activity but not physical education. That is simply NOT TRUE. The CACC curriculum has been designed to teach to the California Physical Education Framework. At present, candidates for the DSSSBMD credential are required to complete a rigorous 80 hour Basic Commandant Training Academy which includes explicit instruction in the CA PE Framework and Content Standards as well as designing and implementing a rigorous, standards-aligned PE program. Simply put, the argument that the CACC Curriculum is merely physical activity and not physical education is an argument not rooted in fact.

I strongly encourage the CTC to reopen the discussion about the creation of this new credential. We need this credential as a means to provide school districts with another tool to verify PE subject matter competence by California Cadet Corps teachers. School districts continue to have the sole discretion in whether or not to allow PE credit for the CACC course, but this proposed credential would allow teachers to demonstrate PE subject matter

competence to their governing boards and therefore make a more compelling argument to those governing boards about their suitability to offer a course for which PE credit might be granted. Thank you and the commission in advance for considering these comments.

4. Dr. Mark Ryan, Superintendent, North Valley Military Institute and Assistant Executive Officer, California Cadet Corps
   Comment: This letter is written in response to the 15-day notice regarding proposed changes to the Designated Subjects Special Subjects teaching credentials. I am supportive of the "clean up" language relative to these credentials, but I would request the Commission seriously reconsider the decision not to adopt the proposed creation of a physical education supplement to the Designated Subjects Special Subjects Basic Military Drill (DSSSBMD) credential.

   The regulatory changes rejected by the CTC at its February 14 meeting would have allowed the addition of a Designated Subjects Special Subjects Basic Military Drill/PE credential for individuals who demonstrated basic skills competence through passage of the CBEST and subject matter competence through passage of all three Physical Education CSET subtests.

   While I respect the opposition presented by the California Teachers Association regarding the fact that the proposed credential does not require a bachelors degree, the proposed new credential would actually INCREASE the competence of individuals teaching the CACC program and PE courses within that program by requiring passage of the CBEST and PE CSET exams.

   The other major point of contention articulated at the CTC meeting was the difference between physical activity and physical education. Those who spoke out against the JROTC and CACC programs said they did physical activity but not physical education. That is simply NOT TRUE. The CACC curriculum has been designed to teach to the California Physical Education Framework. At present, candidates for the DSSSBMD credential are required to complete a rigorous 80 hour Basic Commandant Training Academy which includes explicit instruction in the CA PE Framework and Content Standards as well as designing and implementing a rigorous, standards-aligned PE program. Simply put, the argument that the CACC Curriculum is merely physical activity and not physical education is an argument not rooted in fact.

   I strongly encourage the CTC to reopen the discussion about the creation of this new credential. We need this credential as a means to provide school districts with another tool to verify PE subject matter competence by California Cadet Corps teachers. School districts continue to have the sole discretion in whether or not to allow PE credit for the CACC course, but this proposed credential would allow teachers to demonstrate PE subject matter competence to their governing boards and therefore make a more compelling argument to those governing boards about their suitability to offer a course for which PE credit might be granted. Thank you and the commission in advance for considering these comments.

5. Lieutenant Colonel Christian D. Taddeo, Senior Army Instructor, Mount Diablo High School, Junior Reserve Officer Training Corps
   Comment: I strongly support your proposal to establish a Special Teaching Authorization in Physical Education (PE) for credentialed teachers of Basic Military Drill (BMD) and Junior

Reserve Officer Training Corps (JROTC). A positive decision to grant a special PE teaching authorization to JROTC-credentialed teachers will further legitimize this already-accepted practice. Thank you for reconsidering it after its narrow defeat last month.

I am aware of the opposition to this proposal and would therefore like to offer clarity on this issue from my perspective. The practice of granting PE credit for JROTC classes is *not* about increasing numbers in JROTC; it's also *not* about money either. Simply stated, the granting of PE credit for JROTC/BMD gives high school students more options and flexibility to choose the classes they want and make the most of their high school experience.

There are a number of students at my all-academy high school who want to take JROTC but can't because there is no room in their class schedules for it. Between state-mandated graduation requirements and academy-mandated electives, many students who want JROTC can't have it. At Mt. Diablo High School, we've even added a seventh period specifically to accommodate these students, but due to both personal and extracurricular conflicts, it falls short of helping all students who want JROTC. Flexibility in granting PE credit will go a long way to helping this relatively small group of students get the classes they want and deserve.

Granting JROTC instructors a special authorization to teach PE will not mean drastic changes to education in California. JROTC meets the same physical activity requirements mandated by the State, and the use of JROTC as an alternative to traditional PE is already a successful, proven strategy in many schools and school districts across the state of California and the nation. The special authorization will simply make it easier for educators to help a small numbers of students get the high school classes they desire while maintaining high educational standards.

Thank you for all you do to help the students of California get the best education possible.

Response to Commenters 1 through 5: *At the April 2014 Commission meeting, the Commission voted to restore to the proposed regulations the language pertaining to the Special Teaching Authorization in Physical Education with additional language requested by the California Teachers Association.*

Oral Comments Received at the April 2014 Commission Meeting in Support of the Modifications to Remove the Language Pertaining to the Special Teaching Authorization in Physical Education:

1. Ken Burt, California Teachers Association
   Comment: I don't think the item is properly deployed, first of all. Frankly, I request that you postpone this and you do it correctly. It's in violation of Bagley-Keene in a number of the items. Now, I see my colleague Ms. Byrd beside me. She's been through this administrative process many times. I have to report that I have and I have to report that you're misusing the process. Fairly, under the Administrative Procedures Act, is we take a section and you decided "no" on that section six to four. Then you notified the public, "We have one section we're asking your comment on." It's not like we had Option A and Option B. Give Ken Burt a new Mercedes, no matter how meritorious that may be. And Option B, clean-up language. Once the decision has been made, people are not commenting on a new Mercedes for Ken Burt. What is posted is what is underlined and what you're being told, which I think is

deceptive, but everyone's entitled to their opinion, is the Administrative Procedures Act made me do it. I do not concur with that. Every time I've done it in 22 years, you take an item, you modify that item, you made a decision, and you ask the public, "What do you think of the rest of the items?" It's not a maneuver to reconsider. So, in fairness, that clean-up language is before you. "Yes" or "no." It's not to be used for a connivance to get reconsideration. In my opinion, it's unlawful and inappropriate. So, what I would ask you to do is, regardless of your feelings about the merit, there has to be some honor among thieves. Regardless of your feelings about the merit, you voted six to four and you said "This is out." "And all we want is this last piece. Oh my god," we begged "can I have this last piece?" said your staff, "because this is really clean-up language." Well, that's all you fairly have in front of you is the clean-up language. So, don't buy into this, act on the clean-up language. If you feel compelled to bring this item back, do it the honest way. Do it through a motion to reconsider, come back, start the Administrative Law process again. Please don't let the ends justify the means.

Response: The 15-Day Notice dated February 26, 2014 stated that any person who wishes to comment on the proposed modifications could do so by submitting written comments postmarked beginning February 27 through March 14, 2014. The written comments were to be restricted to the "recent modifications" to the proposed language, meaning the modifications to remove the language pertaining to the Special Teaching Authorization in Physical Education. The Commission received 54 letters in support of the proposed modifications included in the 15-Day Notice dated February 26, 2014 after the close of the noticed comment period. Those letters were provided to all members of the Commission prior to the April 10, 2014 Commission meeting as a courtesy and are included in the record. However, the late letters do not require a summary or response [reference Government Code §11347.3(b)(6)].

2. Cindy Lederer, Physical Educator, Fairfield-Suisun Unified School District, CAHPERD Vice President of Physical Education
   Comment: I strongly oppose, again, to letting JROTC and Basic Military Drill being given the right to teach physical education for credit within their programs. I spoke to the Commission on this matter on February 14. I appreciated the six out of ten votes in favor of physical education on this issue on that day. After you heard from all the speakers in attendance, you went into discussion on this and moved into a question and answer only letting Ms. Duggan speak to your questions. As the expert in my field, I would have liked a chance to address those questions. During the discussion and Q&A session, comments were made by both Ms. Duggan and some Commissioners that clearly showed my colleagues and myself that some of you have no idea what I did as a highly-qualified physical educator. The CAHPERD update that went out the next day, to our members, agrees with my observation and I have a copy of that. Examples during that Q&A: A Commissioner questioned whether ROTC instructors would be able to coach. Another said ROTC instructors would not be able to teach basketball or soccer. None of those comments represents what I do as a highly-qualified physical educator. I don't teach sports and coaching can be done by an expert without a credential and that happens after school and not during the day. It was refreshing to see that a majority of the Commissioners researched all areas of this issue and made an educated decision. However, here we are again. So again, I ask how can some of you vote to let another educator who is not highly trained in my subject matter to teach what I do when you clearly don't understand what a physical educator is? I don't know what a highly-

qualified ROTC and Basic Military Drill instructor does, educator. Students deserve the experience of a highly-qualified teacher in any subject. I do not, I would not be the best physical educator in their classes. I highly respect ROTC and Basic Military Drill educators. What they stand for and I thank them for their service. However, I would like to understand how they feel they can do my job. Revising this issue really makes it look like a political back stabbing of a program against physical education, again. Why did this Commission allow this to happen? With all due respect to you, the Commissioners, in closing I propose this question to the members who voted in favor of giving ROTC a special credential to teach Physical Education in February: If you did not take the time to find out what a highly trained physical educator did, how can you vote, again, to let another educator trained in a different subject do what I do?

Response: Adding the proposed Special Teaching Authorization in Physical Education to the Designated Subjects Teaching Credential will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in EC §51225.3(b) is a local level decision.

3. Jane Robb, California Teachers Association
Comment: I just want to make a brief comment that, again, I'm presenting you, you got a letter in your packet from CTA, I want to reiterate what's in that letter and at the same time reinforce what Mr. Burt said in terms of the appropriateness of considering the substance of whether or not to add a teaching authorization at this point in time. What the letter does is reiterate our opposition to adding a teaching authorization to the Special Subjects Designated Subjects Credential for a couple of reasons that are outlined in the letter you can look at. Once again, it has been said before, you are giving a teaching authorization on a different set of preparation than physical education teachers have. It seems, it appears to us that this item is basically being used to bolster the efforts to convince local school boards, when that issue comes before them, to allow Basic Military Drill to count towards PE credit for high school graduation and other requirements. In light of the conversation we've been having about local control, it seems a little inappropriate for the Commission to be taking action on an issue that is really being used as a way to convince local decision making. Local boards already have the authority to allow Basic Military Drill to be counted toward physical education high school credit. That's a local decision. It still remains a local decision and taking action to change the standards on which you give authorization to teach a subject really flies in the face of the Commission's vision and purpose. And, so, we urge you to A – not to take this issue up again, and B – we're just reiterating that we oppose it on its merits, as well.

Response: Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied

California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

4. Keith Johannes, Retired Math and Physical Educator from Santa Anita School District representing CAHPERD
   Comment: I only heard about this a couple of days ago and I tried to email something to you two days ago related to a study that was done and will be published in the *Research Quarterly for Exercise and Sport*. This study was done comparing JROTC and physical education in terms of their activities and what they do. 38 observations in four schools were made, so a very substantial research project. In these studies, JROTC classes were sedentary as much as 75% of the time. Physical education classes were much more active over 50% of the time. And, so the difference is clear in terms of one level of physical activity. The idea that a credential can be given to someone that is not teaching physical education, they're teaching Basic Military Drill, and then offering physical education credit for it sets a dangerous precedent in terms of what that could happen next. I personally have a physical education credential. I also have a mathematics credential and a biological sciences credential. So, if I can, just on the validity of having those credentials, offer my any of the kids in the class that subject credit because I have that credential without following any of the standards or course content kind of flies in the face of what we're talking about in terms of quality education, let alone quality physical education. So when you start to downgrade what can be offered as a course credit, you're opening a door to a lot of other areas that are not where we want to go for quality education. I saw a recruitment flyer in north county San Diego. They said that, "We can get you out of physical education." So that was the idea behind taking the JROTC, marching band, depending on whichever one that flyer was from. I have a great idea. A lot of kids would like to get out of math. If you would offer a math credential to JROTC, I bet they would jump at the chance to do that. So that's kind of my little comparison in terms of what's going on here. It's not… It's as Cindy, my colleague said, this is another way of undermining our credibility in our work that we do to great quality programs and having… "Well, it's only PE, doesn't matter" and I think that's the kind of a thing that we've been living with for most of my career and we're trying to change that. So this action that you have taken now, I urge you to leave it stand.

   Response: The LEA has full discretion to determine how their Physical Education course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). The proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

5. Chad Fenwick, United Teachers of Los Angeles representing Los Angeles Unified School District

   Comment: We have 1500 physical educators and the position of UTLA is that you made the right decision on February 14th. I spoke here and gave these comments. Mr. Johannes spoke about that research article that also looked at the actual instruction that was going on in physical education instructed in a wide variety of physical skills, knowledge, theaters, and attitudes and ROTC was specifically only on physical fitness, which a small part of what we did and drill and standing correctly. So there is a huge difference, and that was spoke about last time. Our district is quite large, we have quite many challenges. We embrace the Common Core in physical education. We have done a wonderful job of all that, the local control is there. With what you passed is the LAUSD policy. We follow that already. We have the local control. We have the flexibility to provide opportunities for other things to be physical education. JROTC can be physical education, but what we uphold is your decision which was to make sure the credentialing of those teachers in the content that is taught is highly-qualified. And that's the most important thing, is what your job is, to make sure that is upheld and that's what your decision did. We still have local control as it was mentioned earlier. We have the flexibility. We have even a marching dynamics class that could be physical education if the teacher is credentialed in physical education and if they teach the content and the number of minutes so we meet the legal requirements but we uphold the educational importance of what is taught in physical education. So we do it already. We have the flexibility. You don't need to change it. You made the right decision on February 14th. I read the artifacts that were presented, the nine letters. One of the main things they kept speaking about was to ensure the quality of instruction that was getting to the kids. If that's true, what they really are saying, they agreed with your decision, because your decision ensured that person had to have a credential in physical education. Not just a Designated Subjects add-on through taking the CSET. The CSET was based on a teacher having those four-year degrees and a teaching credential, then adding on with the CSET. So they have that foundation. ACSA wrote a letter and we have administrators in ACSA and ACSA, we actually got to the people in administration, and they did not realize when they wrote that letter that the Designated Subjects credential did not need a four-year degree. So, there's confusion there and they don't represent all of the ACSA members correctly. So, your decision was correct before. The students right now are in a lawsuit asking for quality of instruction on teacher tenure because they want to change that. They want to change it so that they have the quality of instruction. They don't want to make it easier just to have a Designated Subject be able to teach physical education.

   Response: A letter from United Teachers Los Angeles distributed at the meeting by Mr. Fenwick is provided in Tab 20 of Binder 2.

   The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). The content of the course curriculum is the determining factor for assignment purposes. The Commission's concern is not generally with the credit earned for the course; however, it may be a guide to determining who should teach a specific course. The teacher of a course in which the curriculum content is JROTC must hold a DSSS Teaching Credential in ROTC, regardless of the type of high school graduation credit that is awarded. If the LEA determines that the content of the course includes Physical Education areas in addition to those offered in the

ROTC curriculum, a local teaching assignment option will be required to authorize the assignment of the an educator who holds only a DSSS credential in ROTC.

There are a variety of local assignment options available in the Education Code, that are not exclusive to Physical Education, California local governing boards may utilize to assign teachers on a temporary basis that may be used in conjunction with Education Code section 51225.3(b).

The CSETs are examinations established by the Commission to satisfy the requirements of subsection (a)(1) of Education Code section 44225 for issuance of Multiple Subject and Single Subject Teaching Credentials; however, subsection (a) of Education Code section 44225 does not preclude the Commission from utilizing the CSET examinations for other credential types. In addition, there is no EC or 5 CCR language requiring an individual to possess a baccalaureate degree in order to take a CSET.

6. Janet Davis, California Federation of Teachers and employee of Los Angeles Unified School District
   Comment: The important point, I think, is the difference between the third paragraph on the first page of this item and the fourth paragraph because, with flexibility comes responsibility. I concur with all of CTA's comments and what Chad just said is an example of really successful collaboration of the union and the district in Los Angeles, which is not happening all over the place. This is one of our great successes that we team-teach. We have a variety of models to make sure our credentialed teachers are there for the two years of instruction for physical education. One of the important parts in the third paragraph, it says, "with the active involvement of parents, administrators, teachers, and students." That allows the LA governing board the flexibility to adopt alternative means of meeting graduation requirements but it means that they have to take responsibility, again with the flexibility, that each particular class, I mean you can see the language, how specific it is and the alternative is to verify that the course… It's very clear that this is a watered down version and it's taking away the active engagement of all the active people, the parents, administrators, teachers and students and it's also…It was clearly designed and stated at the very first meeting, this was because school boards were having discomfort about authorizing this for a person without a four-year degree, etc., etc. and, again, Los Angeles really has done a good job of accommodating ROTC with team-teaching and other models where it can be elective after they've met the two-year requirement. So, I think it's important to maintain the decision you made last meeting.

   Response: Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

   The LEA has full discretion to determine how their Physical Education course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). The proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or

BMD courses. Local governing boards will still be required to consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses if the Special Teaching Authorization in Physical Education is approved.

7. Liz Guillen, Public Advocates
   Comment: I'm urging the Commission today to continue with the decision that it already made about this credential, which is very complicated or confusing. What I thought was even more interesting, as I get to know more about it or am brought back into the conversation, because I have been involved in this conversation over the years with the legislature and with the Department of Ed, is this is such a teeny piece. This is such a small segment of teacher preparation that we're talking about. Yet, it's very important because physical education is something we've said is required and we want it required. It is required because we think it's important for knowledge, but also for children's development and understanding about the importance of being physically active and healthy. So even in the face of all that, we've already watered down the standards from our perspective. And we think that students are actually suffering as a result of the message that they're getting, as well as their families, that it's okay to figure out ways to get out of it. So we think, at this point, it's really about the adults not wanting to make the decisions for themselves or not wanting to have to address it on their own and, this was pointed out earlier, that it already can be decided locally and we think that's as far as it should go. The Commission should not have to address it and you should stick to the decision that you made earlier. We think it would be in the best interests of the students.

   Response: The purpose of the proposed regulations is not to substitute BMD or ROTC courses for Physical Education courses. The proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

Oral Comments Received at the April 2014 Commission Meeting in Opposition of the Modifications to Remove the Language Pertaining to the Special Teaching Authorization in Physical Education:

1. Peter Lambert, Principal of C.K. McClatchy High School, Sacramento City Unified School District
   Comment: I would like to thank the Commission for allowing me to speak on behalf of the ROTC programs. We would like to speak in support of the ROTC programs in providing PE credit for students that do participate in the ROTC programs. We are lucky at McClatchy High School, and for many of the comprehensive high schools in the Sacramento City Unified School District, that we do have a credentialed PE teacher who is experienced also in teaching PE, highly qualified, who is one of our ROTC instructors. However, we would like for you not to enact any language that would hinder the ability or ROTC instructors to provide PE credit for students participating in ROTC. Students that participate in ROTC have a higher graduation rate than students that are not participating in ROTC. Students that participate in ROTC, in my experience, in addition have less negative behaviors, suspension,

expulsions, and have higher participation in many of the things that we would like to see them involved in within the school. ROTC has had a tremendously positive impact, not only at McClatchy High School, but in speaking with the principals at all the comprehensive high schools within the Sacramento City Unified School District. So, I would like for you, again, to support the ROTC programs and to continue to support students that are in those programs by allowing them to get PE credit for that program.

2. Lieutenant Colonel Brian Anderson, California Military Department
   Comment: On behalf of my boss, Major General David S. Baldwin, he would like to convey the following message. While the Military Department is supportive of the clean-up language relative to these credentials, he would request that the Commission seriously reconsider the decision not to adopt the proposal for the creation of physical education supplement to the Designated Special Subjects Basic Military Drill credential. We'd like to allow the Commission the opportunity to look and examine this issue, look at our programs, and, besides the classroom portion of it, look at the whole program as a whole where we have our before morning activities, weekend activities, and how they all contribute to creating the requirements of physical education needs. Currently, school districts continue to have the sole discretion in whether or not to allow PE credit for the Basic Military Drill course, but this proposed credential will allow teachers to demonstrate PE subject matter competency to their governing boards and, therefore, make a more compelling argument to those governing boards about the suitability to offer a course for which PE credit might be granted. On behalf of Major General Baldwin, thank you in advance Commission for considering these comments.

3. Lieutenant Colonel Edward Fedur, ROTC Commander at McClatchy High School, Sacramento City Unified School District
   Comment: Based on the comments I heard from my principal, I want a raise. One thing that I'm a little disconcerted about is that only four schools were looked at. There are 58 Air Force units in California. There are over 200 Army units. There are over 200 Navy units and there are approximately 40 Marine Corps units. Four is hardly a representative figure as far as I'm concerned. Now, the only thing I was a little upset about, if you please, we were not given the opportunity to speak when this subject was originally addressed. So everything we have is a rebuttal of something that seems to be already done, already decided upon. I'm glad we do have some support. I was feeling a little outnumbered here with the teachers' association. But within Sac City Unified School District, as Mr. Lambert said, my Chief Master Sergeant who works with me in the Air Force program, has his teaching credential in science and in PE. At the Hiram Johnson High School here in Sacramento, also an Air Force ROTC unit, two instructors there, one who also has his PE credential. The Marine Corps unit at Kennedy High School, one of the instructors is working toward his PE credential. I can't speak for all the other units in the state, because I'm not aware of them. I will say that people believe that all we do is march and, therefore, we should get PE credit have no idea what we do in ROTC, the same way that probably 95% of the civilians in this country have no idea what active duty in the military does. Which is why, passing around to this Commission, and I apologize, I didn't know how big this Commission was, I only made 12 copies of our curriculum for PE for what we at McClatchy, teach. The biggest concern I have is, if this is not readdressed and if our students and not given PE credit for ROTC, you will as an unintended consequence kill the Junior ROTC program in the state of California. Students don't just come to ROTC to get out of PE like I've heard spoken, but because they might

want to enter the military, they might want to improve themselves, their parents or guardians might be requesting that they do so, other teachers might request that they do so, they need some discipline in their life that they don't get from gym or PE. But the concern that I have is that nobody is addressing the students here. We're addressing teachers and gym teachers whom are fearful of losing their jobs in lieu of ROTC and that's what this is not about. This is about the kids. I will put my kids and their FITNESSGRAM results and the president's FITNESSGRAM results against any other student in Sacramento City Unified School District.

4. Teri Burns, California School Boards Association
   Comment: We would support the second option before you; restoration of this language that allows this credential for ROTC instructors. We do it for a couple of reasons. One is because it allows fuller a discussion at a board meeting, which is what we want to do. Should the board be giving credit? Should it not? It remains the board's option; that stays with you. It also does give boards a little better understanding of what kind of training these instructors have had in PE and as a whole. It fleshes out the conversation. Likewise, it gives us leverage with the military provider that we're working with to say, "We would like an instructor who already has this certification." So it helps us push them to meet a higher level of competence. I need to remind you, as I frequently do, we can't make all laws and rules, regulations based on LA Unified. A lot of our school districts have much, much smaller pools of folks to draw from. We have much smaller options for giving electives to students and different alternatives to students. We believe that allowing this certification will help foster the discussion, will help ensure that a higher standard in PE is provided in our local programs and we thank you for your reconsideration of this issue.

5. Doug Gephart, Association of California School Administrators
   Comment: This is an interesting challenge. I am a major in physical education, I was a teacher, I was an administrator, I was a superintendent and so I have great respect for the position of CTA is taking on this because they want to maintain high standards in the delivery of instruction for physical education. But this issue isn't about the PE curriculum as much as it is about the right of a school board to make a decision about whether or not they're going to grant credit for PE. The staff has outlined in your agenda the Ed Code requirements that a board must consider before they grant PE credit for ROTC/Drill. If the school board is diligent about doing that, then the local program under whosever leadership they're under and whosever delivering instruction would have to demonstrate to the local board that their program warrants PE credit. ACSA is supportive of this option provided that our understanding is consistent with the Commission's decision to approve this. 1) Even if an ROTC instructor possesses the special subjects credential, PE credit must still go before the local board for approval. This doesn't bypass that. 2) The instructor with the special subjects credential is not authorized to teach a regular PE class. That's our understanding. 3) In order to get the special credential, they have to pass the basic subjects test and the content standards test for PE. If an individual meets those requirements and these conditions apply, then ACSA supports the idea of this agenda item.

Response to Commenters 1 through 5:
At the conclusion of the oral comments, Chair Darling-Hammond clarified that the Commissioners would not be voting on, and did not have the authority to decide, whether the JROTC or BMD classes count for physical education credit. It is the authority of local

governing boards to decide what they offer and what courses get graduation credit. She further clarified that the purpose of the agenda item is whether those who teach JROTC or BMD courses will be able to demonstrate a higher level of competence and whether the Commission will recognize that higher standard on a credential, via issuance of a Special Teaching Authorization in Physical Education.

Additional discussion by members of the Commission clarified several potential misunderstandings related to the Special Teaching Authorization in Physical Education as follows:

1) *The Commission does not have the authority to decide if Junior Reserve Officer Training Corps (JROTC) or Basic Military Drill (BMD) courses may be awarded high school graduation credit in the area of Physical Education. The authority to designate ROTC and/or BMD courses as eligible for high school graduation credit in Physical Education rests with governing boards of California local education agencies as provided in Education Code section 51225.3(b);*
2) *The proposed authorization would allow ROTC and BMD credential holders to demonstrate a higher level of preparation (by satisfying California's basic skills requirement and verification of subject matter competence in Physical Education) and have that preparation recognized on their credentials through issuance of the Special Teaching Authorization;*
3) *The proposed authorization would serve as an incentive for ROTC and BMD credential holders to become better prepared to teach Physical Education in the context of a JROTC or BMD course, if such a course is approved for PE credit by a local governing board.*

With clarification of the issues outlined above, the Commission voted to restore the language related to the Special Teaching Authorization in Physical Education to the proposed regulation amendments, with additional language added to the authorization statement as recommended by the California Teachers Association during the 45-day written comment period.

Late Written Responses to 15-Day Notice Dated February 26, 2014:
The Commission received the following additional written responses to the 15-day Notice dated February 26, 2014 after the close of the public comment period (54 letters with 60 signatures):

Support
6 organizational opinions
54 personal opinions
Total Late Responses: 60

The late comments listed below are included in the record but do not require a summary or response [reference Government Code §11347.3(b)(6)]:

Late Responses Representing Organizations in Support of the Modification in 15-Day Notice dated February 26, 2014:

1. Heather Deckard, CAHPERD President
2. Chad Fenwick, Past Chair of United Teachers Los Angeles Physical Education Committee
3. Rick Jahnkow, Program Coordinator, Project on Youth and Non-Military Opportunities
4. Thomas L. McKenzie, Professor Emeritus, School of Exercise and Nutritional Sciences, San Diego State University

5. The SPARK Program
6. Dean Vogel, President, California Teachers Association

Late Responses Representing Individuals in Support of the Modification in 15-Day Notice dated February 26, 2014:

1. Coreen Aldapa, Physical Education Teacher
2. Brad Armstrong
3. Nathaniel Andrade, California State University, Fresno
4. Michelle Banuelos, Adapted Physical Education Specialist
5. California State University, Fresno Kinesiology Student
6. Brandon Chrest, Kinesiology Physical Education Major, California State University, Fresno
7. Adam Crandall, California State University, Fresno
8. Heather Deaner, Associate Professor, California State University, Stanislaus
9. Terri Drain, Physical Education Teacher
10. Susan Eastham, Assistant Professor, California State University, Stanislaus
11. Jocelyn M. Estiandan, Resident of Los Angeles County
12. Ciera Fagundes
13. J. Sue Fletcher, Full Professor, California State University, Stanislaus
14. Matthew Fraze, Lecturer, California State University, Stanislaus
15. Joshua Garza, California State University, Fresno
16. Eloisa Gonzalez, Resident of Los Angeles
17. Lynn Gregerson, Physical Education
18. Zack Groothuyzen, California State University, Fresno
19. David Haiby, Adapted Physical Education Specialist
20. Erin Hall, Full Professor, Department Chair, California State University, Stanislaus
21. Tim Hamel, Senior Lecturer, Department of Kinesiology, California State University, Fresno
22. Betty Hennessy
23. Samantha Hernandez, California State University, Fresno
24. Scott Hilton, California Public School Teacher
25. Janice L. Herring, Full-Time Lecturer, California State University, Stanislaus
26. Judith Holroyd, Teacher Specialist, Physical Education
27. Hugh “Tom” Hoy, Lecturer, Former K-12 Principal, California State University, Stanislaus
28. Patricia Huato, Physical Education Option Student, California State University, Fresno
29. Karen Kadlec
30. Grant Kapigian, California State University, Fresno
31. Cindy Lederer, CAHPERD Vice President of Physical Education
32. Christopher Lopez, California State University, Fresno
33. Joseph Magruder
34. Stephen McNeil, Wage Peace Director, American Friends Service Committee
35. Uyen Ngo, Resident of Los Angeles
36. Fay Nielsen, Associate Dean, Student Success & Retention, Fresno Pacific University
37. Angela Pham, Resident of Los Angeles
38. Brent Powell, Assistant Professor, Department of Kinesiology, California State University, Stanislaus
39. Gladys Ramirez, Kinesiology-Physical Education and Credential Program Student, California State University, Fresno
40. Alicia Reyes-Flores
41. Jesse Rodriguez-Dautrieve, California State University, Fresno

42. Judith Schumacher-Jennings
43. Susan C. Strong
44. Matthew Silva, CAHPERD Member
45. Grace E. Tan, Resident of Los Angeles
46. John Tan, Resident of Los Angeles
47. Gustavo Vega, Kinesiology Student, California State University, Fresno
48. Joanie Verderber, Member CAHPERD Board of Directors
49. Edgar Villegas
50. Roland Wendell
51. Christina Wesson, California State University, Fresno
52. Sandra Sunshine Williams, LAUSD Teacher (retired)
53. Vickie Williams, Resident of Los Angeles
54. Elise Zimmerman

15-day Notice Dated April 28, 2014 Written Comments

The Commission received the following written comments in response to the proposed modifications to 5 CCR §80037 detailed in the 15-day notice dated April 28, 2014 that were received at the Commission or were postmarked by May 13, 2014:

Support	***Opposition***
2 organizational opinions	6 organizational opinions
1 personal opinion	829 personal opinions

Total Responses: 838

Written Responses Representing Organizations in Support:

1. David S. Baldwin, Major General, California Military Department
   Comment: Thank you for the opportunity to comment on the proposed changes to the Designated Subjects Credentials for Basic Military Drill and JROTC. As you know from my previous letters, the California Military Department is fully supportive of the proposed changes allowing the addition of the Physical Education component to those credentials. This will strengthen the quality of PE instruction offered in those programs and will allow school districts to have direct knowledge of the qualifications of those instructors who can pass the three PE CSET subtests.

   I am currently the authority responsible in Title 5 regulations for verifying both experience and competence for individuals recommended for the existing DSSSBMD credential, and much like the various vocational education credentials granted by the CTC, possession of a Bachelors Degree is not a requirement. I look forward to working with the CTC, teachers, school administrators, and school governing boards to ensure that the best quality instruction is always provided while providing educational options and flexibility to students. The proposed new credential would actually increase the competence of individuals by requiring passage of the CBEST and PE CSET exams.

   Only a governing board can decide who earns PE Credit and which course(s) can qualify for PE credit. This new credential increases standards for JROTC and Cadet Corps instructors to grant a very limited number of PE credits for students enrolled only in those Cadet Corps or JROTC classes. Ultimately, this credential does not change anything about PE credit for students. It simply better informs school districts about the educational qualifications of a

JROTC or Cadet Corps instructor and allows them to continue to make the same decision that they are currently empowered to make.

I strongly support the proposed changes and encourage the CTC to adopt them at the June meeting.

2. Sherry Griffith, Director, Association of California School Administrators
   Comment: The Association of California School Administrators (ACSA), representing over 15,000 school, district and county office of education administrators, strongly urges the Commission to add a special teaching authorization in physical education for holders of Designated Subjects Special Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corp (ROTC).

   We support the modifications to the text of the proposed regulations provided in the previous 15-day notice dated April 28, 2014 pertaining to DSSS teaching credentials and the availability of an additional document.

   These proposed regulations will help ensure that military drill and JROTC instructors meet the higher standard of content knowledge required for physical education and enable local educational agencies to continue to exercise discretion regarding the assignment of physical education credits for these courses.

   Response to Commenters 1 and 2:
   At the June 2014 Commission meeting, the Commission voted to approve inclusion of the Frequently Asked Questions *document in the rulemaking file and to approve the proposed regulations with the language pertaining to the Special Teaching Authorization in Physical Education and the additional language requested by the California Teachers Association.*

Written Responses Representing Individuals in Support:

1. Mark P. Ryan, Superintendent, North Valley Military Institute
   Comment: Thank you for the opportunity to comment on the proposed changes to the Designated Subjects Credentials for Basic Military Drill and JROTC. As you know from my previous comments, I am 100% supportive of the proposed changes allowing the addition of the Physical Education component to those credentials. I believe this will strengthen the quality of PE instruction offered in those programs and will allow school districts to have direct knowledge of the qualifications of those instructors who can pass the three PE CSET subtests.

   I know that there have been significant notes of opposition from members of the PE lobby and the teachers unions. As someone who has been a member of both organizations in the past, I can tell you that neither of those groups necessarily speaks for all of their members. There are many teachers union members who support the proposed changes.

   The major arguments in opposition to the proposed changes fall into three domains. Here are some responses to those concerns.

   1. Cadet Corps and JROTC programs may have wonderful curricula but they are not PE curricula and do not address California PE standards --- while that may have been true a

while back, it is not true now. Both programs have revamped their curricula to align with the California PE standards and Framework.

2. This will allow people without BA degrees to teach PE --- this is true if an individual with a Designated Subjects credential happens to not have a bachelors degree. However, those individuals will have been already deemed to be qualified to teach Cadet Corps or JROTC by the recommending agency (the federal military branch or the California National Guard). This new credential will actually INCREASE DRAMATICALLY the level of academic rigor those credential applications will have been required to demonstrate in order to qualify for the PE add-on to the credential. It is also not true that all such credential holders lack a Bachelors Degree. More than half of the existing Designated Subjects Basic Military Drill and JROTC credential holders already possess a Bachelors Degree and a fairly large number hold advanced degrees.

3. This new credential will allow JROTC and Cadet Corps instructors to grant PE credit -- only a governing board can decide who earns PE Credit and which course(s) can qualify for PE credit. All this credential will do is BETTER INFORM governing boards who has the qualifications to teach PE to cadets. Ultimately, this credential does not CHANGE ANYTHING about PE credit for students. It simply better informs school districts about the educational qualifications of a JROTC or Cadet Corps instructor and allows them to continue to make the same decision that they are currently empowered to make.

I strongly support the proposed changes and encourage the CTC To adopt them at the June meeting.

Response: At the June 2014 Commission meeting, the Commission voted to approve inclusion of the Frequently Asked Questions *document in the rulemaking file and to approve the proposed regulations with the language pertaining to the Special Teaching Authorization in Physical Education and the additional language requested by the California Teachers Association.*

Responses Representing Organizations in Opposition of the Modifications:

1. Ken Burt, Liaison Program Coordinator on behalf of the California Teachers Association
   Comment #1:
   The California Teachers Association is opposed to the proposed regulations as they relate to BMD and ROTC, and urges the CTC to return to its position adopted in the revised minutes of February 13-14, 2014, (that is the CTC defeated this proposal for lower teaching standards).

   The action of bringing up this issue again is a violation of the administrative procedures act, and of the Commission's own rules on reconsideration (adoption of Roberts Rules of Order as Revised).

   The California Teachers Association again reasserts its opposition to the special teaching authorization for BMD and ROTC to teach Physical Education Regulations as set forth in the attached letters dated February 12, 2014, and April 9, 2014.

<u>The decision of the CTC at its February 13-14 meeting in rejecting these regulations which lowered standards for Physical Education was a correct one.</u>

Response to Comment #1:
At the April 2014 meeting, the Commission voted to restore the language pertaining to the Special Teaching Authorization in Physical Education to the proposed regulations following oral presentations that clarified several potential misunderstandings as follows:

1) *The Commission does not have the authority to decide if JROTC or BMD courses may be awarded high school graduation credit in the area of Physical Education. The authority to designated ROTC and/or BMD courses as eligible for high school graduation credit in Physical Education rests with governing boards of California LEAs as provided in Education Code section 51225.3(b);*
2) *The proposed authorization would allow ROTC and BMD credential holders to demonstrate a higher level of preparation (by satisfying California's basic skills requirement and verification of subject matter knowledge in Physical Education) and have that preparation recognized on their credentials through issuance of the Special Teaching Authorization;*
3) *The proposed authorization would serve as an incentive for ROTC and BMD credential holders to become better prepared to teach Physical Education in the context of a JROTC or BMD course, if such a course is approved for Physical Education credit by a local governing board.*

Mr. Burt's earlier letters dated February 12, 2014 and April 9, 2014 were previously presented to the Commission and the letters are included in the rulemaking file.

Comment #2:
It now appears for some non-articulated motive, there is a rush to improperly get reconsideration.

<u>Unfortunately in the rush the needs and rights of English Learners have been totally overlooked.</u>

To date, there has been no discussion of the potential statewide impact on English learners if a larger segment of high school students might now receive PE courses and credits from holders of the BMD and ROTC credentials. We are fully aware that the interim step of district review and approval of a basic military drill course for PE credit is required, yet we also aware that adding this special teaching authorization lends the imprimatur of the CTC to those deliberations.

As of 2012, when a SLP credential holder adds the special class authorization (similar to the teaching authorization being considered for ROTC and BMD) the CTC took action to require that the SCA align with the EL authorization requirements as other holders of teaching credentials. This same standard does not appear to be held for the ROTC and BMD special teaching authorization and we question why. Will the CTC take action to align the EL authorization required for holders of the ROTC and BMD special teaching authorization to the EL requirements for other teachers of Physical Education? It is important for the Commission to note that while other Designated Subjects/CTE credential holders are able to earn their EL authorization through provisions authorized by SB 1292, holders of designated

subject's special subjects credentials such as the ROTC and BMD credential are not covered by the legislation. Therefore, this matter should be put over until the Commission addresses and shares with the public how the rights and needs of English learners will be safeguarded.

Response to Comment #2:
Although the proposed regulations do not include an EL authorization for the preliminary DSSS Teaching Credential, the proposed regulations do require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] that will result in the addition of a Specially Designed Academic Instruction in English (SDAIE) EL authorization at the time the clear credential is issued [reference subsection (d)(2) in the proposed regulation text].

Local governing boards may require an individual to hold a clear DSSS Teaching Credential prior to designating an ROTC or BMD class as eligible for Physical Education graduation credit pursuant to Education Code section 51225.3(b) or request issuance of a CCSD Variable Term Waiver to authorize the instruction of English learners while an individual holds a preliminary DSSS Teaching Credential.

Education Code section 44253.11 was added by Senate Bill 1292 (Chap. 752, Stats. 2006) and amended by Senate Bill 280 (Chap. 345, Stats. 345). Education Code section 44253.11(a) reads:

> *"A teacher with a designated subjects teaching credential or a service credential with a special class authorization may enroll in a course that meets the minimum requirements of staff development in methods of specially designed content instruction delivered in English, as described in Section 44253.3, 44253.4, 44253.7, or 44253.10."*
>
> *The term "designated subjects teaching credential" as used in Education Code section 44253.11(a) does not preclude holders of DSSS Teaching Credentials from earning a CCSD. Holders of clear DSSS Teaching Credentials may complete an approved program to earn a CCSD, which authorizes the instruction of English learners in specially designed content instruction delivered in English in grades twelve and below and in classes organized primarily for adults.*
>
> *Holders of preliminary or clear DSSS Teaching Credentials also have the option of earning a Clear CLAD Certificate or adding an English learner authorization to their documents by completing a California Teacher of English Learners (CTEL) program or passing the CTEL examinations (reference Title 5 of the California Code of Regulations section 80015).*
>
> *Current Education Code and Title 5 of the California Code of Regulations language authorizes the Commission to issue preliminary Single Subject Teaching Credentials without an English learner authorization to teachers credentialed outside California as follows: credentialed in another state – Education Code section 44274.2 and subsections (a)(1) and (b)(1) of 5 California Code of Regulations section 800413.3 (out-of-state credentialed teachers must earn an EL authorization to qualify for the clear credential); credentialed outside the United States – Education Code section 44275.4 (teachers credentialed outside the United States are <u>not</u> required to earn an EL authorization to qualify for the clear teaching credential).*

Comment #3:
In addition there are other concerns over aligning competency requirements in reading to those required of other PE teachers.

Response to Comment #3:
The proposed regulation amendments require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] to qualify for the clear DSSS Teaching Credential and the program standards address the teaching of reading. Local governing boards may require an individual to hold a clear DSSS Teaching Credential prior to designating an ROTC or BMD class as eligible for Physical Education graduation credit pursuant to Education Code section 51225.3(b).

2. Heather Deckard, President 2013-14, California Association for Health, Physical Education, Recreation and Dance (CAHPERD)
Comment #1:
This letters *(sic)* serves as opposition from the California Association for Health, Physical Education, Recreation, and Dance (CAHPERD) to the April 10, 2014 commission decision to restore proposed Title 5 California Code of Regulations (5 CCR §80037) language, stricken on February 14, 2014, for a Special Teaching Authorization in Physical Education (PE), Designated Subjects Special Subjects (DSSS) in Reserve Officers Training Corps (ROTC) and Basic Military Drill (BMD). CAHPERD is the only state association that represents health and physical education professionals, future professionals, and higher education faculty in teacher preparation programs.

Response to Comment #1:
The decision to restore the proposed language pertaining to the Special Teaching Authorization in Physical Education will be considered by the Commission at the June 2014 meeting.

Comment #2:
Members find the proposed regulations are in violation of several California Education Codes as, by definition, **regulations monitor and enforce rules as established by delegated legislation.** Regulations may be more restrictive than codes, not less restrictive. **A regulation, that does not meet the minimum standard set by the statute, supersedes the code.** The proposed 5 CCR regulation does not meet the minimum credential standard set in the Education Code and therefore lowers teacher preparation standards for one of the academic subject areas, physical education, minimally required for high school graduation. [EC§§ 44256 and 44257(a)(11)and 5 CCR §10060]

Response to Comment #2:
Education Code section 44256 broadly defines the authorizations for Single Subject, Multiple Subject, Specialist, and Designated Subjects Teaching Credentials. Education Code section 44257 establishes the authorizations for Single Subject Teaching Credentials and subsection (a)(11) specifies that Physical Education is one of the available subject areas. Neither of the aforementioned EC sections specifies credential standards or state that Physical Education is an authorization exclusive to Single Subject Teaching Credentials.

Title 5 of the California Code of Regulations section 10060 establishes the criteria for appraising the quality of physical education programs in senior or four-year high schools that California schools districts must follow. This Title 5 section does not fall under the purview of the Commission; however, the Special Teaching Authorization in Physical Education will not affect a school district's procedures when appraising the quality of physical education programs.

Comment #3:
Your decisions to propose and move these Title 5 Regulations forward **exceed your level of power granted by the Legislature** and are interpreted as a **dereliction of your regulatory responsibility** to "establish sanctions for the misuse of credentials and the misassignment of credential holders." [EC §44225] The 15-Day Notice cites EC §44225 as the Education Code that give the CTC the authority to propose the regulations. On the contrary, paraphrasing and quotes from various Education Codes are provided below to refute this state authority.

Response to Comment #3:
The first line of Education Code section 44225 reads "The commission shall do all of the following:" Subsection (e) authorizes the Commission to "Determine the scope and authorization of credentials, to ensure competence in teaching and other educational services…" and subsection (q) reads, "Propose appropriate rules and regulations to implement the act which enacts this section." Education Code section 44225 is the statutory delegation of rulemaking authority from the Legislature to the Commission.

Education Code section 44260.4 pertaining to the issuance of DSSS Teaching Credentials reads:

> *"The minimum requirements for the designated subjects special subjects teaching credential shall be appropriate to the special subject named on the credential, in accordance with the requirements established by the commission. Special subjects instruction may include, but shall not be limited to, driver education and training."*

Education Code section 44260.4 is the specific section that provides the Commission the authority to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials.

Comment #4:
The commission is granted authority to establish professional standards, assessments and examination for the basic teaching credentials, credentials for teaching adult education or vocational education classes, credentials for teaching specialties, and credentials for school service. The commission is mandated to ensure preparation and competence satisfy "its standards" and since regulations monitor and enforce code, the commission must ensure that provisions specified in the Education Code are met. The **baccalaureate degree is the minimum standard** for a basic teaching credential [EC §44256(a)], is required for the California Subject Examination Test (CSET) [EC §44225(a)(1)] when an individual is demonstrating subject matter competence for a single subject content area, and is required for the three-year preliminary designated subjects adult education teaching credential for academic subjects. [EC 44260.2] The **commission has <u>not</u> been given the authority to waive this minimum requirement standard by equating four years of military**

experience with a baccalaureate degree [EC §44225(b)] Education Codes Sections 44260, 44260.1, and 44260.2 do not equate four years of work experience with the baccalaureate degree.

Response to Comment #4:
Education Code section 44256(a) provides the definition for "Single subject instruction." No language is included in this subsection requiring possession of a baccalaureate degree. The definition for a basic teaching credential is provided in Education Code section 44203(e) as follows:
"Basic teaching credential" means either of the following:
(1) A credential that authorizes the holder to teach the subjects named on the credential, and for which possession of a baccalaureate degree from a regionally accredited institution and completion of a professional preparation program that includes student teaching are minimum requirements.
(2) A clear designated subjects teaching credential that authorizes the holder to teach the subjects named on the credential on a full-time basis if the holder also possesses a baccalaureate degree from a regionally accredited institution and has passed the state basic skills proficiency test.
A basic teaching credential meets the prerequisite teaching credential requirement for any other teaching, specialist, or service credential the commission is authorized to issue."

As proposed, the Special Teaching Authorization in Physical Education will be added to a DSSS Teaching Credential in ROTC and BMD. Possession of a "basic teaching credential" as defined in Education Code section 44203(e) is not a prerequisite for issuance of the Special Teaching Authorization in Physical Education.

Education Code section 44225(a) reads:
"Establish professional standards, assessments, and examinations for entry and advancement in the education profession. While the Legislature recognizes that the commission will exercise its prerogative to determine those requirements, it is the intent of the Legislature that standards, assessments, and examinations be developed and implemented for the following:"

Subsection (a)(1) of Education Code section 44225 specifies the requirements for a "preliminary teaching credential" and is interpreted as pertaining to issuance of Multiple Subject and Single Subject Teaching Credentials, which are mirrored and expanded upon in Education Code section 44259. The CSETs are examinations established by the Commission to satisfy the requirements of subsection (a)(1) of Education Code section 44225 for issuance of Multiple Subject and Single Subject Teaching Credentials; however, subsection (a) of Education Code section 44225 does not preclude the Commission from utilizing the CSET examinations for other credential types. In addition, there is no EC or 5 CCR language requiring an individual to possess a baccalaureate degree in order to take a CSET.

Education Code sections 44260, 44260.1, and 44260.2 pertain to issuance of Designated Subjects three-year preliminary Career Technical Education (CTE), five-year clear CTE, and three-year preliminary Adult Education Teaching Credentials respectively, none of

which pertain to issuance of DSSS Teaching Credentials. Education Code section 44260.4 pertaining to the issuance of DSSS Teaching Credentials reads:

> *"The minimum requirements for the designated subjects special subjects teaching credential shall be appropriate to the special subject named on the credential, in accordance with the requirements established by the commission. Special subjects instruction may include, but shall not be limited to, driver education and training."*

The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Comment #5:
The commission is authorized to "determine the scope and authorization of credentials, to ensure competence in teaching and other educational services, and establish sanctions for the misuse of credentials and the misassignment of credential holders." [EC §44225(e)] The commission has a **duty to ensure that credential holders are appropriately assigned**. Lowering the standard for one academic content area (physical education) that has curriculum standards and a framework adopted by the California Board of Education, is not fulfilling the regulatory responsibility of the CTC related to the misuse of the DSSS credential by some local governing boards. The commission must safeguard credential qualifications. A local governing board has the authority to adopt alternative means for the completion of the course of study [EC §51225.3] and must follow all CTC regulations when assigning a teacher to teach a course outside of their area of authorization. [EC 51225(3)(b)] Procedures and minimum standards must be met by the local governing board as specified in the *Advisory on Teacher Assignment Option Education Code Section 44258.3* as published September 2007 by the CTC. EC §44258.3 clearly specifies that there must be 1) a need based upon teacher shortage, 2) "*subject matter specialists" are mentor teachers, curriculum specialists, resource teachers, classroom teachers certified to teach a subject…. and* 3) that *"Subject-matter knowledge" should include both knowledge of the California curriculum framework for the subject area and the specific content of the course(s) to be taught as defined by the local district.* Any local governing board, using this code to establish subject matter competence for a DSSS credential holder to teach an academic subject area, has exceeded their level of authority.

Response to Comment #5:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). The content of the course curriculum is the determining factor for assignment purposes. The Commission's concern is not generally with the credit earned for the course; however, it may be a guide to determining who should teach a specific course. The teacher of a course in which the curriculum content is JROTC must hold a DSSS Teaching Credential in ROTC, regardless of the type of high school graduation credit that is awarded. If the LEA determines that the content of the course includes Physical Education areas in addition to those offered in the ROTC curriculum, a local teaching assignment option will be required to authorize the assignment of the an educator who holds only a DSSS credential in ROTC.

There are a variety of local assignment options available in the Education Code California local governing boards may utilize to assign teachers on a temporary basis that may be

used in conjunction with Education Code section 51225.3(b). Two such local assignment options that are not exclusive to the subject area of Physical Education, local governing boards may consider when approving courses for high school graduation credit under the provisions of Education Code section 51225.3(b) are:
Education Code section 44258.7(c): *"A teacher employed on a full-time basis who teaches kindergarten or any of grades 1 to 12, inclusive, and who has special skills and preparation outside of his or her credential authorization may, with his or her consent, be assigned to teach an elective course in the area of the special skills or preparation, provided that the assignment is first approved by a committee on assignments. For purposes of this subdivision an "elective course" is a course other than English, mathematics, science, or social studies. The membership of the committee on assignments shall include an equal number of teachers, selected by teachers, and school administrators, selected by school administrators."*

"Full-time" teaching is defined in Title 5 of the California Code of Regulations sections 80048.3.1(c)(1), 80048.4(a)(6)(A), 80054(g)(2)(A), and 80413.3(c)(2) as teaching a minimum of four hours per day for 75% of the school year. Subsection (d) of Education Code section 44258.7 establishes the procedures and criteria for the committee on assignments.

Education Code section 44263: *"A teacher licensed pursuant to the provisions of this article may be assigned, with his or her consent, to teach a single subject class in which he or she has 18 semester hours of coursework or nine semester hours of upper division or graduate coursework or a multiple subject class if he or she holds at least 60 semester hours equally distributed among the 10 areas of a diversified major set forth in Section 44314. A three-semester-unit variance in any of the required 10 areas may be allowed. The governing board of the school district by resolution shall provide specific authorization for the assignment. The authorization of the governing board shall remain valid for one year and may be renewed annually."*

Comment #6:
The commission may grant an added or supplementary authorization to a credential holder who has met the requirements and standards of the commission for the added or supplementary authorization. This means that <u>all</u> minimum requirements must be met. **The commission is attempting to add an academic authorization to a DSSS credential by waiving the baccalaureate degree as a minimum requirement for the CSET.** The **Legislature never declared that four years of work experience equate to a baccalaureate degree.** The commission has not been given the authority to attach an authorization for single subject area to a DSSS credential, i.e. English language arts/court reporting, physical education/ROTC, etc. [EC §44225(e)] Physical education has not been identified as one of the authorized subjects for the designated subjects preliminary career technical education teaching credential [ED *(sic)* §44260]; it is not included in one of the 15 industry sectors identified in the California career technical education model curriculum standards adopted by the state board. [EC §44260.9(a)]

Response to Comment #6:
The requirements for supplementary authorizations are specified in Title 5 of the California Code of Regulations sections 80057.5 (for teaching credentials used

predominantly in elementary schools) and 80089 (for teaching credentials used predominantly in secondary schools). The requirements for added authorizations are specified in Title 5 of the California Code of Regulations section 80499. The proposed Special Teaching Authorization in Physical Education is not a supplementary or added authorization.

Education Code sections 44260 and 44260.9(a) pertain to Designated Subjects Career Technical Education Teaching Credentials, not DSSS Teaching Credentials. Education Code section 44260.4 pertaining to the issuance of DSSS Teaching Credentials reads:

> *"The minimum requirements for the designated subjects special subjects teaching credential shall be appropriate to the special subject named on the credential, in accordance with the requirements established by the commission. Special subjects instruction may include, but shall not be limited to, driver education and training."*

Education Code section 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials. The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Comment #7:
The Commission is informed that based upon identified inconsistencies between the proposed changes to Title 5 and the California Education Code, as well as potential civil rights violations, that a copy of this letter has been sent to the Office of Administrative Law (OAL), Public Advocates, and to the American Civil Liberties Union (ACLU). Notice is given that the CTC Proposal to establish such an authorization does NOT meet the Administrative Procedure Act (APA) Standards for the California Code of Regulations in the following areas of Authority, Reference, Consistency, Necessity, Clarity, Non-Duplication, and the Effect on Small Business. Detailed evidence regarding the CTC failure to follow each of these APA standards along is provided in Appendix A.

Response to Comment #7:
Responses to each of the objections related to the APA standards and procedures are provided in the "Appendix A-1 to A-8" sections below.

Comment #8:
CAHPERD also asserts that there were **procedural violations** that are further detailed in Appendix A. The CTC did not follow appropriate procedures as there was no collaboration with all key stakeholder organizations and agencies prior to, or during, the development of this proposal.

Response to Comment #8:
Government Code section 11346.45(a) reads:

> *"In order to increase public participation and improve the quality of regulations, state agencies proposing to adopt regulations shall, prior to publication of the notice required by Section 11346.5, involve parties who would be subject to the proposed regulations in public discussions regarding those proposed regulations, when the*

proposed regulations involve complex proposals or a large number of proposals that cannot easily be reviewed during the comment period."

The proposed amendments to Title 5 of the California Code of Regulations section 80037 do not "involve complex proposals or a large number of proposals that cannot easily be reviewed during the comment period." The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Comment #9:
As written, the "Special Teaching Authorization in Physical Education" will allow preliminary DSSS credentailholders to teach physical education in ROTC and BMD without possessing the following: 1) a baccalaureate degree, 2) English Learner (EL) certification, 3) technology competency, and 4) a subject specific pedagogy course, as noticed by the CTC in the January 17, 2014 CTC Program Sponsor Alert, a requirement for individuals who seek to add a content area to a single subject teaching credential.[EC §§44260. 4260.1, 42605, and CCR § 80499.2] These omissions result in lower teacher preparation standards and thus **deny students access to qualified teachers** in a state-mandated graduation requirement subject. [William's Litigation.]

Response to Comment #9:
Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

Education Code section 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials. The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Although the proposed regulations do not include an EL authorization for the preliminary DSSS Teaching Credential, the proposed regulations do require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] that will result in the addition of a Specially Designed Academic Instruction in English (SDAIE) EL authorization at the time the clear credential is issued [reference subsection (d)(2) in the proposed regulation text].

Local governing boards may require an individual to hold a clear DSSS Teaching Credential with the SDAIE authorization prior to employment or request issuance of a CCSD Variable Term Waiver to authorize the instruction of English learners while an

individual holds a preliminary DSSS Teaching Credential. In addition, holders of preliminary or clear DSSS Teaching Credentials have the option of earning a Clear CLAD Certificate or adding an English learner authorization to their documents by completing a CTEL program or passing the CTEL examinations (reference Title 5 of the California Code of Regulations section 80015).

Current Education Code and Title 5 of the California Code of Regulations language authorizes the Commission to issue preliminary Single Subject Teaching Credentials without an English learner authorization to teachers credentialed outside California as follows: credentialed in another state – Education Code section 44274.2 and subsections (a)(1) and (b)(1) of Title 5 of the California Code of Regulations section 800413.3 (out-of-state credentialed teachers must earn an EL authorization to qualify for the clear credential); credentialed outside the United States – Education Code section 44275.4 (teachers credentialed outside the United States are <u>not</u> required to earn an EL authorization to qualify for the clear teaching credential).

The proposed regulation amendments require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] to qualify for the clear DSSS Teaching Credential and Standard 11 addresses the uses of technology in the classroom. Local governing boards may require an individual to hold a clear DSSS Teaching Credential, confirmation from an approved program sponsor that the holder of a preliminary DSSS credential has completed Standard 11, or passage of the Preliminary Educational Technology Test prior to designating an ROTC or BMD class as eligible for Physical Education graduation credit pursuant to Education Code section 51225.3(b).

A specific subject pedagogy course is one of the requirements to earn a Single Subject Teaching Credential under the provisions of Title 5 of the California Code of Regulations section 80499. The authorization of the proposed Special Teaching Authorization in Physical Education is not equivalent to the authorization of a Single Subject Teaching Credential in Physical Education. The authorization of the proposed Special Teaching Authorization in Physical Education is limited to physical education courses in basic military drill and physical fitness.

The Education Code references cited in Comment #9 do not pertain to DSSS Teaching Credentials. Education Code section 44260 pertains to issuance of Designated Subjects five-year preliminary CTE teaching credentials. Education Code section 4260.1 does not exist. Staff believes the commenter meant to reference Education Code section 44260.1, which pertains to issuance of Designated Subjects five-year clear CTE teaching credentials. Education Code section 42605 does not exist and staff could not determine the EC section the commenter meant to reference. Title 5 of the California Code of Regulations section 80499.2 also does not exist, but staff is confident the commenter meant to reference the subject specific pedagogy requirement included section 80499. The Commission's response to this Title 5 reference is provided in the paragraph above.

Comment #10:
Written justification and verbal comments made by some commissioners on February 14, 2014 and April 10, 2014 indicate the proposal will increase teacher standards as some local governing boards are already giving physical education credit for JROTC. These comments

indicate that some instructors giving credit are not appropriately credentialed teachers. The CTC is professing that subject matter competence is the issue when provisions already exists for an individual to obtain a single subject credential through examination once minimum qualifications are met. There is **no need for these proposed regulations**. Instead of developing a sub-standard authorization, the CTC should be discussing how to fulfill its regulatory responsibility.

Response to Comment #10:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

There are no Education Code or Title 5 of the California Code of Regulations sections that authorize the holder of a DSSS Teaching Credential to earn a Single Subject Teaching Credential as an added authorization. The holder of a DSSS Teaching Credential in ROTC or BMD, all of whom served in the military for a minimum of four years, would be required to earn a bachelor's degree and complete a teacher preparation program to qualify for a Single Subject Teaching Credential.

Comment #11:
If this sub-standard "authorization" to the DSSS credential is moved forward, conditions for **potential risk for litigation** to local governing boards will be enhanced due to the **lack of consistency among all Single Subject and DSSS credentials** and the likelihood that students may be **denied access to an appropriate education**. While local governing boards do have the authority to approve curricula and alternative means for pupils to complete the course of study [EC §51225.3], physical education content must be 1) be provided as specified in [5 CCR §10060] and 2) be monitored by the CDE through the Federal Program Monitoring process.

Response to Comment #11:
The proposed Special Teaching Authorization in Physical Education will not prevent a LEA from providing physical education as specified in Title 5 of the California Code of Regulations section 10060 or the California Department of Education from monitoring physical education courses through the Federal Program Monitoring process.

Comment #12:
The CTC has stated that the proposed regulations will provide authorization for ***"physical education taught within the context of ROTC programs."*** Again, there is no need for this authorization as provisions already exist for the issuance of a single subject credential through examination or assignment and local governing boards determine curricula and alternative means for pupils to complete the course of study. By using this terminology, the CTC is **confusing the issue.** If the *Physical Education Model Content Standards for California Schools, Grades K-12* are compared to the ROTC and BMD courses, the CTC

will find **very little to no curricular overlap**. The CTC has also stated that ***"ROTC and BMD may meet some or all of the required activity areas."*** By **using the term "activity areas"** the CTC has demonstrated that it does not understand the "content areas" of physical education thus providing evidence that the **CTC equates physical activity with physical education** and does not understand the difference between the two. Such a statement **misleads LEAs** into believing that any type of activity justifies the issuance of physical education credit. The term **"may" also implies "may not."**

Response to Comment #12:
Comment #12 misquotes the rulemaking documents associated with the proposed amendments to Title 5 of the California Code of Regulations section 80037 regarding "activity areas." The statement included in the rulemaking documents was, "Current basic military drill and physical fitness training activities associated with BMD and ROTC courses may include instruction in some or all of the listed areas." The term "may" was included in the statement because it is not within the purview of the Commission to evaluate courses offered in California's public schools for adherence to the Model Content Standards for California Schools, Grades K-12 for <u>any</u> subject area. The term "listed areas" was in reference to the eight areas of physical education instruction required in Education Code section 33352(b)(7). The LEA has full discretion to determine how their Physical Education course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7).

Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #13:
The CTC has provided no research or data to support the need for the special teaching authorization in terms of student health and achievement. In the CTC proposal, nine states were cited as providing JROTC options as physical education exemptions for student participation in JROTC. **According to the Centers for Disease Control and Prevention data, each of the nine cited states has a higher obesity prevalence rate that California.** Researchers, who have studied physical activity time in physical education and JROTC classes, found that the **physical education classes provided greater physical activity time** than the JROTC classes. (M. Lounsbery, et. al. *Research Quarterly*, in press). These proposed regulations could have a **negative impact on the implementation of local school wellness policies** as physical education is an integral part of the wellness policy. **Fitness scores are highly correlated to achievement scores.** (CDE) Qualify physical education supports student health and achievement.

Response to Comment #13:
This comment assumes facts that have not been presented to the Commission. No data has been provided to the Commission to indicate that the direct or indirect cause of the higher obesity prevalence for the nine states is the physical education exemption for JROTC participation.

The proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #14:
The creation of this "Special Teaching Authorization in Physical Education" results in a lower, not higher, teacher preparation standard for physical education. The proposal serves as a fraudulent effort by the CTC to not only **attempt to "legitimatize" current and inappropriate substitution/supplanting of quality physical education programs** with ROTC and BMD curricula that do not have physical education content, but furthermore, by enacting this proposal, the CTC will inappropriately influence even more local Boards of Education to substitute/supplant standards-based physical education programs with ROTC or BMD curricula.

Response to Comment #14:
Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). The content of the course curriculum is the determining factor for assignment purposes. The Commission's concern is not generally with the credit earned for the course; however, it may be a guide to determining who should teach a specific course. The teacher of a course in which the curriculum content is JROTC must hold a DSSS Teaching Credential in ROTC, regardless of the type of high school graduation credit that is awarded. If the LEA determines that the content of the course includes Physical Education areas in addition to those offered in the ROTC curriculum, a local teaching assignment option will be required to authorize the assignment of the an educator who holds only a DSSS credential in ROTC.

There are a variety of local assignment options available in the Education Code California LEAs may utilize to assign teachers on a temporary basis that may be used in conjunction with Education Code section 51225.3(b). Two such local assignment options, that are not exclusive to the subject area of Physical Education, LEAs may consider when approving courses for high school graduation credit under the provisions of Education Code section 51225.3(b) are:

Education Code section 44258.7(c): *"A teacher employed on a full-time basis who teaches kindergarten or any of grades 1 to 12, inclusive, and who has special skills and*

preparation outside of his or her credential authorization may, with his or her consent, be assigned to teach an elective course in the area of the special skills or preparation, provided that the assignment is first approved by a committee on assignments. For purposes of this subdivision an "elective course" is a course other than English, mathematics, science, or social studies. The membership of the committee on assignments shall include an equal number of teachers, selected by teachers, and school administrators, selected by school administrators."

"Full-time" teaching is defined in Title 5 of the California Code of Regulations sections 80048.3.1(c)(1), 80048.4(a)(6)(A), 80054(g)(2)(A), and 80413.3(c)(2) as teaching a minimum of four hours per day for 75% of the school year. Subsection (d) of Education Code section 44258.7 establishes the procedures and criteria for the committee on assignments.

Education Code section 44263: *"A teacher licensed pursuant to the provisions of this article may be assigned, with his or her consent, to teach a single subject class in which he or she has 18 semester hours of coursework or nine semester hours of upper division or graduate coursework or a multiple subject class if he or she holds at least 60 semester hours equally distributed among the 10 areas of a diversified major set forth in Section 44314. A three-semester-unit variance in any of the required 10 areas may be allowed. The governing board of the school district by resolution shall provide specific authorization for the assignment. The authorization of the governing board shall remain valid for one year and may be renewed annually."*

Comment #15:
The **proposed Title 5 Regulation amendments are not and never were needed.** California is a **local control state**. Local governing boards have the authority to identify course content for credit given. They need to provide appropriately credentialed teachers for all courses. This issue is **not about increasing or limiting student choices**; it is about **upholding the teacher preparation standard across all content areas.** Local governing boards may simply revise their local high school graduation course requirements to **ensure students meet the minimum California high school graduation requirements of 120 units** [EC §51225.3] taught by appropriately credentialed teachers and they may then **offer 100 to 120 units of elective credit designed to meet any college or career pathway** taught by single subject and DSS credentialed staff.

Response to Comment #15:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in

Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

The comments related to governing boards revising their high school course requirements are dismissed pursuant to Government Code section 11346.9(a)(3) as they are not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments. The Commission does not have purview over high school graduation credit requirements and the proposed regulation amendments are not related to this topic.

Comment #16:
In summary, the **actions of the CTC to develop and move these regulations forward enlarge the scope of the power conferred upon the CTC by the Legislature and fail to follow APA Standards and Procedures.** Appendix A provides detailed evidence and examples regarding the failure of the CTC to meet APA Standards and Procedures as cited in Title 1 CCR.

Responses to Comment #16:
Responses to each of the objections related to the APA standards and procedures are provided in the "Appendix A-1 to A-8" sections below.

Comment #17:
CAHPERD members encourage each commissioner to **fulfill their mandated regulatory duty and to vote "no"** on the proposed Title 5 Regulations for Special Teaching Authorization in Physical Education (PE), Designated Subjects Special Subjects (DSSS) in Reserve Officers Training Corps (ROTC) and Basic Military Drill (BMD).

Response to Comment #17:
The decision to restore the proposed language pertaining to the Special Teaching Authorization in Physical Education will be considered by the Commission at the June 2014 meeting.

APPENDIX A-1
The CTC proposal does not meet the standard of *AUTHORITY*.

In reviewing a regulation for compliance with the "authority" and "reference" requirements of Government Code section 11349.1, OAL shall apply the following standards and presumptions:

(a) Sources of "Authority." "Authority" shall be presumed to exist only if an agency cites in its "authority" note proposed for printing in the California Code of Regulations:
  (1) a California constitutional or statutory provision which expressly permits or obligates the agency to adopt, amend, or repeal the regulation; or
  (2) a California constitutional or statutory provision that grants a power to the agency which impliedly permits or obligates the agency to adopt, amend, or repeal the regulation in order to achieve the purpose for which the power was granted. [1CCR 1.1.2.14]

1.1 The CTC proposal does not meet the standard of *authority* because the CTC does not have the authority to lower basic teaching standards set by statute. The baccalaureate degree is the minimum standard for a basic teaching credential [EC §44256(a)], is required for the California Subject Examination Test (CSET) [EC §44225(a)(1)] when an individual is demonstrating subject matter competence for a single subject content area, and is required for the three-year preliminary designated subjects adult education teaching credential for academic subjects. [EC 44260.2] The commission has not been given the authority to waive this minimum requirement standard by equating four years of military experience with a baccalaureate degree [EC §44225(b)]. Teachers of all subject areas for graduation, including teachers of physical education must have an EL certificate, and those who take the CSET must take a methods course, neither of which are required for the proposed "authorization" for ROTC and BMD personnel. Thus the impact of this proposal on students is the lowering of teaching standards by the CTC for the subject area of physical education and sets a precedent for using inappropriate rationale to LOWER teaching standards for any subject area that currently requires a Single Subject Credential or Multiple Subjects Credential.

Response to 1.1:
Education Code section 44256(a) provides the definition for "Single subject instruction." No language is included in this subsection requiring possession of a baccalaureate degree. The definition for a basic teaching credential is provided in Education Code section 44203(e) as follows:

"Basic teaching credential" means either of the following:

(1) A credential that authorizes the holder to teach the subjects named on the credential, and for which possession of a baccalaureate degree from a regionally accredited institution and completion of a professional preparation program that includes student teaching are minimum requirements.

(2) A clear designated subjects teaching credential that authorizes the holder to teach the subjects named on the credential on a full-time basis if the holder also possesses a baccalaureate degree from a regionally accredited institution and has passed the state basic skills proficiency test.

A basic teaching credential meets the prerequisite teaching credential requirement for any other teaching, specialist, or service credential the commission is authorized to issue."

As proposed, the Special Teaching Authorization in Physical Education will be added to a DSSS Teaching Credential in ROTC and BMD. Possession of a "basic teaching credential" as defined in Education Code section 44203(e) is not a prerequisite for issuance of the Special Teaching Authorization in Physical Education.

Education Code section 44225(a) reads:

"Establish professional standards, assessments, and examinations for entry and advancement in the education profession. While the Legislature recognizes that the commission will exercise its prerogative to determine those requirements, it is the intent of the Legislature that standards, assessments, and examinations be developed and implemented for the following:"

Subsection (a)(1) of Education Code section 44225 specifies the requirements for a "preliminary teaching credential" and is interpreted as pertaining to issuance of Multiple Subject and Single Subject Teaching Credentials, which are mirrored and expanded upon in Education Code section 44259. The CSETs are examinations established by the Commission to satisfy the requirements of subsection (a)(1) of Education Code section 44225 for issuance of Multiple Subject and Single Subject Teaching Credentials; however, Education Code section 44225(a) does not preclude the Commission from utilizing the CSET examinations for other credential types. In addition, there is no Education Code or Title 5 of the California Code of Regulations language requiring an individual to possess a baccalaureate degree in order to take a CSET.

Education Code section 44260.4 pertaining to the issuance of DSSS Teaching Credentials reads:

> *"The minimum requirements for the designated subjects special subjects teaching credential shall be appropriate to the special subject named on the credential, in accordance with the requirements established by the commission. Special subjects instruction may include, but shall not be limited to, driver education and training."*

The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

There are no Education Code or Title 5 of the California Code of Regulations sections that require possession of an EL authorization for courses that receive high school graduation credit. English learners must be taught by certificated teachers with the appropriate EL authorization; however, if no English learners are enrolled in a class, the teacher is not required to possess an EL authorization.

Although the proposed regulations do not include an EL authorization for the preliminary DSSS Teaching Credential, the proposed regulations do require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] that will result in the addition of a Specially Designed Academic Instruction in English (SDAIE) EL authorization at the time the clear credential is issued [reference subsection (d)(2) in the proposed regulation text].

If English learners are enrolled in a ROTC or BMD class, local governing boards may require an individual to hold a clear DSSS Teaching Credential with the SDAIE authorization prior to employment or request issuance of a CCSD Variable Term Waiver to authorize the instruction of English learners while an individual holds a preliminary DSSS Teaching Credential. In addition, holders of preliminary or clear DSSS Teaching Credentials have the option of earning a Clear CLAD Certificate or adding an English learner authorization to their documents by completing a CTEL program or passing the CTEL examinations (reference Title 5 of the California Code of Regulations section 80015).

A specific subject pedagogy course is one of the requirements to earn a Single Subject Teaching Credential under the provisions of Title 5 of the California Code of

Regulations section 80499. The authorization of the proposed Special Teaching Authorization in Physical Education is not equivalent to the authorization of a Single Subject Teaching Credential in Physical Education. The authorization of the proposed Special Teaching Authorization in Physical Education is limited to physical education courses in basic military drill and physical fitness.

1.2 The CTC proposal does not meet the standards of *authority* because the CTC proposal circumvents the Legislature which has defeated prior efforts to substitute other subject areas, such as JROTC and Career Technical Education Courses, taught by Designated Subjects Credential personnel, for school physical education courses (2009-10: AB 223; AB 351; AB 554)

Response to 1.2:
A brief explanation of the Assembly Bills (AB) referenced in 1.2:

AB 223: *As amended on April 15, 2009, this bill would have made findings and determinations related to the value of JROTC programs and would have required the San Francisco Board of Education to make JROTC courses available to pupils in grades 9 to 12 at all schools that offered JROTC courses during the 2008-09 school year.*

AB 351: *As amended on June 2, 2009, this bill would have authorized a local governing board to exempt any high school pupil from course in physical education if the pupil participated in California Cadet Corps, cheer team or dance team, color guard or drill team, JROTC, or marching band as part of the regular course of study or regular school-sponsored extra-curricular activities; specified the minimum standards for the physical education substitute courses; and required that a "certificated" employee teach the course of study or sponsor the activity.*

AB 554: *As introduced on February 25, 2009, this bill would have authorized a pupil, with the consent of his/her parent/guardian and concurrence of the governing board to substitute any career technical education course for a visual/performing arts, foreign language, or physical education course. Each career technical education course completed would have served as a legitimate substitute for the course that it replaced for purposes of graduation requirements.*

The purpose of the proposed regulations is not to substitute JROTC courses for Physical Education courses. The proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

1.3 The CTC proposal does not meet the standard of *authority* because the CTC proposal interferes with the efforts of the California Department of Education (CDE) to implement the *Physical Education Model Content Standards for California Public Schools: Kindergarten Through Grade Twelve* that were approved by the California State Board of Education (SBE). Instead of supporting the CDE/SBE efforts to

implement the Physical Education Model Content Standards, the CTC proposal would "authorize" DSSS personnel "to teach physical education courses in basic military drill and physical fitness training in grades 12 and below…" without ever explaining what "physical education courses" are taught in BMD, and without defining how "physical fitness training" aligns with the *Physical Education Model Content Standards for California Public Schools: Kindergarten Through Grade Twelve* for health-related fitness skills and knowledge. The effect of the proposed Title 5 amendments would be to encourage school districts to give physical education credit for ROTC and BMD curricula that are not aligned with the *Physical Education Model Content Standards for California Public Schools.*

Response to 1.3:
The Special Teaching Authorization in Physical Education will be limited to the teaching of basic military drill and physical fitness training, which are two areas that fall under the umbrella of "physical education." Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

1.4 The CTC proposal does not meet the standards of *authority* because, by not following appropriate state credentialing statutes, the CTC is setting a precedent for lowering standards in all Single Subject Credentials, as well as the Multiple Subjects Credential, by authorizing Designated Subjects Special Subjects (DSSS) credentialholders, with no baccalaureate degree and no evidence of any coursework in higher education, to teach portions of graduation requirement courses that may or may not be related to the California curriculum standards in those areas.

Response to 1.4:
The proposed regulation amendments are not related to the issuance of Single Subject or Multiple Subject Teaching Credentials and there is no statute or regulation stating that Physical Education is an authorization exclusive to Single Subject Teaching Credentials.

Education Code section 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials. The current language provided in Title 5 of the California Code of Regulations section

80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

The proposed regulation amendments require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] to qualify for the clear DSSS Teaching Credential.

The Commission does not have purview over high school graduation course requirements and the proposed regulation amendments are not related to that topic.

APPENDIX A-2

2. **The CTC proposal does not meet the standard of *REFERENCE.***
"Reference" shall be presumed to exist if an agency is empowered to implement, interpret or make specific a: (1) California constitutional provision; or (2) California statute. For purposes of this analysis, an agency's interpretation of its regulatory power, as indicated by the proposed citations to "authority" or "reference" or any supporting documents contained in the rulemaking record, shall be conclusive unless: (A) the agency's interpretation alters, amends or enlarges the scope of the power conferred upon it; or (B) a public comment challenges the agency's "authority". 1CCR1.1.2.14

2.1 The CTC proposal does not meet the standards of *reference* because the CTC's interpretation of the statutes establishing teaching credentials for physical education enlarges the scope of power conferred upon the CTC by the Legislature. The Legislature has not granted the Commission the authority to set lower standards than those cited in the Education Code.

Response to 2.1:
There is no statute or regulation stating that Physical Education is an authorization exclusive to Single Subject Teaching Credentials. Education Code section 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials.

2.2 The Legislature has given the CTC power to identify other authorizations for the single subject credential but they did not give the CTC power to attach a Single Subject authorization to the Designated Subjects Special Subjects Credential.

Response to 2.2:
There is no statute or regulation stating that Physical Education is an authorization exclusive to Single Subject Teaching Credentials. Education Code section 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials.

2.3 The CTC proposal does not meet the standard of *reference* because Public Comment challenges the CTC's authority regarding the proposed Title 5 amendments related to physical education as verified by verbal and written public comment.

Response to 2.3:
Education Code section 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials.

APPENDIX A-3

3. **The CTC proposal does not meet the standards of *CONSISTENCY.***

3.1 The CTC proposal does not meet the standard of *consistency* because the proposed Title 5 amendment action related to authorizing personnel without baccalaureate degrees to teach physical education, a subject required for high school graduation, is not consistent with authorization for teaching other subject areas required for high school graduation.

Response to 3.1:
There are currently no Education Code or Title 5 of the California Code of Regulations sections that require an educator to possess a baccalaureate degree to teach a course that receives high school graduation credit. In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

3.2 The CTC proposal does not meet the standard of *consistency* in regard to the subject specific pedagogy course requirement for persons with a baccalaureate degree who wish to add an additional content area to their Single Subject credential by taking the CSET. The CTC recognized the "need to provide prospective teachers with appropriate and sufficient subject specific pedagogical preparation so that they can teach the content area effectively to K-12 students." (Program Sponsor Alert Number 14-01) Effective January 1, 2014, Title 5 Section 80499 mandates that any person passing the CSET to add a subject to their Single Subject credential must complete a 3 semester or a 4 quarter unit subject specific pedagogy course that contains both content and pedagogy. The lack of course requirement consistency for those who passing *(sic)* the CSET results in the lowering of instructional standards in physical education when taught by DSSS credentialholders.

Response to 3.2:
A specific subject pedagogy course is one of the requirements to earn a Single Subject Teaching Credential under the provisions of Title 5 of the California Code of Regulations section 80499. The authorization of the proposed Special Teaching Authorization in Physical Education is not equivalent to the authorization of a Single Subject Teaching Credential in Physical Education. The authorization of the proposed Special Teaching Authorization in Physical Education is limited to physical education courses in basic military drill and physical fitness training delivered through a course that requires possession of a DSSS Teaching Credential in BMD or ROTC.

3.3 The CTC proposal does not meet the standard of *consistency* in regard to the English Language (EL) certification required for credentialholders of a Single Subject or

Multiple Subject credential the EL certification is not required for the DSSS credential. (5 CCR §80499) further lowering standards of instruction in physical education for students. The lack of EL certification results in the lowering of instructional standards in physical education when taught by DSSS credentialholders.

Response to 3.3:

The proposed regulations require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] that will result in the addition of a Specially Designed Academic Instruction in English (SDAIE) EL authorization at the time the clear credential is issued [reference subsection (d)(2) in the proposed regulation text].

Local governing boards may require an individual to hold a clear DSSS Teaching Credential with the SDAIE authorization prior to employment or request issuance of a CCSD Variable Term Waiver to authorize the instruction of English learners while an individual holds a preliminary DSSS Teaching Credential. In addition, holders of preliminary or clear DSSS Teaching Credentials have the option of earning a Clear CLAD Certificate or adding an English learner authorization to their documents by completing a CTEL program or passing the CTEL examinations (reference Title 5 of the California Code of Regulations section 80015).

Current holders of clear DSSS Teaching Credentials issued prior to approval of the proposed regulation amendments may complete an approved program to earn a CCSD, which authorizes the instruction of English learners in specially designed content instruction delivered in English in grades twelve and below and in classes organized primarily for adults.

3.4 Single Subject credential candidates must complete required education courses prior to student teaching experience in Educational Technology, Literacy in Secondary Schools, and Diversity in Secondary Schools as minimum requirements in a State Sponsored Program. These requirements would not be mandatory for the DSSS Credential Special Authorization.

Response to 3.4:

The proposed regulation amendments require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] to qualify for the clear DSSS Teaching Credential. The program standards address the uses of computers in educational settings; the teaching of reading; and equity, diversity and access to the curriculum for all students.

3.5 The CTC proposal does not meet the standard of *consistency* because the proposal is not consistent with other high school graduation requirement subject areas in that the ROTC and BMD curricula also include reading, mathematics, history-social science and science. The CTC proposal does not offer the DSSS credentialholder the option to take the CSET in other subject areas to provide graduation credit for aspects of the ROTC and BMD curricula that address these high school graduation requirement subject areas. This proposal sets an alarming precedent for all subject areas.

Response to 3.5:
"Consistency" means being in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or other provisions of law [reference Government Code section 11349(d)]. Education Code 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials and those requirements and special subjects are specified in Title 5 of the California Code of Regulations section 80037. There are no other statutes or regulations related to the issuance of DSSS Teaching Credentials.

APPENDIX A-4

4. **The CTC proposal does not meet the standard of *NECESSITY.***
In reviewing the rulemaking record for compliance with subsection (b), OAL shall not dispute the decision of a rulemaking agency to adopt a particular regulatory provision when the information provided as required by subsection (b) is also adequate to support one or more alternative conclusions. (b) In order to meet the "necessity" standards of Government Code section 11349.1, the record of the rulemaking proceeding shall include: (1) A statement of the specific purpose of each adoption, amendment, or repeal; and (2) information explaining why each provision of the adopted regulation is required to carry out the described purpose of the provision. Such information shall include, but is not limited to, facts, studies, or expert opinion. When the explanation is based upon policies, conclusions, speculation, or conjecture, the rulemaking record must include, in addition, supporting facts, studies, expert opinion, or other information. An "expert" within the meaning of this section is a person who possesses special skill or knowledge by reason of study or experience, which is relevant to the regulation in question. [1CCR 1.1.2.10]

4.1 The CTC proposal does not meet the standard of *necessity* because ROTC and BMD personnel who have baccalaureate degrees may already take the CSET and CBST *(sic)* and a physical education subject specific pedagogy course needed to attain a Single Subject credential in any curricular area, including physical education. Current Education Code and Regulations already exist; there is no need for the proposed regulation.

Response to 4.1:
Title 5 of the California Code of Regulations section 80049 requires possession of a Multiple Subject, Single Subject, Standard, or General Teaching Credential in order to qualify for a Single Subject Teaching Credential on the basis of subject matter competence and other specified requirements. A DSSS Teaching Credential is not an appropriate prerequisite credential for the purpose of adding a credential under the provisions of Title 5 of the California Code of Regulations section 80499. The proposed Special Teaching Authorization reduces and streamlines the credential system to ensure teacher competence in Physical Education for holders of DSSS Teaching Credentials in BMD and ROTC, while allowing greater flexibility in staffing local schools [reference Education Code section 44225(b)].

4.2 The CTC proposal does not meet the standard of *necessity* because the CTC has provided no research or data to support the need in terms of student health and achievement. The CTC proposal information cited nine states that provide JROTC

options as physical education exemptions for student participation in JROTC, but did not point out that each of the states cited has a higher obesity prevalence rate than California as reported by the Centers for Disease Control and Prevention. Researchers who have studied physical activity time in physical education and JROTC classes found that the physical education classes provided greater physical activity time than the JROTC classes. (M. Lounsbery, et. al. *Research Quarterly*, in press)

The comment related to the higher obesity prevalence rates in the nine states that provide JROTC options as physical education exemptions assumes facts that have not been presented to the Commission. No data has been provided to the Commission to indicate that the direct or indirect cause of the higher obesity prevalence for the nine states is the physical education exemption for JROTC participation.

The Commission agrees with the last sentence of the referenced abstract (attached to Ms. Deckard's letter) that reads: "Policies and practices for providing substitutions for PE should be carefully examined." LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

4.4 The CTC proposal does not meet the standard of *necessity* because while the CTC reports there is declining enrollment in BMD and ROTC, LEAs can exercise local control by requiring student to complete the minimum course requirements for high school graduation (120 units) and can offer a variety of elective (100 to 120 units) to provide a various college and career pathways. Declining enrollment in an elective subject area is <u>not</u> sound educational rationale for submitting a proposal to lower credentialing standards for a mandated subject content area.

Response to 4.4:
The Commission does not have purview over high school graduation course requirements and the proposed regulation amendments are not related to this topic.

The rulemaking documents include the following statement regarding the benefits of the proposed regulation amendments:

> *"The Commission anticipates that the proposed amendments will benefit the welfare of the students attending public schools in the State of California by creating a Special Teaching Authorization in Physical Education that LEAs may potentially use in conjunction with EC §51225.3 to grant physical education high school graduation credit for basic military drill and physical fitness training courses taught by holders of Designated Subjects Special Subjects Credentials in BMD and ROTC, thereby increasing the students' course options."*

The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. LEAs that choose to grant physical education high school graduation credit for basic military drill and physical fitness training courses taught by the holder of a DSSS credential with the

Special Teaching Authorization will provide students with additional course options to satisfy the prescribed physical education high school graduation requirement. Such options may provide the enrollment numbers for continuation of JROTC programs in California public schools.

APPENDIX A-5

5. **The CTC proposal does not meet the standard of *CLARITY.***

In examining a regulation for compliance with the "clarity" requirement of Government Code section 11349.1, OAL shall apply the following standards and presumptions: (a) A regulation shall be presumed not to comply with the "clarity" standard if any of the following conditions exists: (a) the regulation can, on its face, be reasonably and logically interpreted to have more than one meaning; or (2) the language of the regulation conflicts with the agency's description of the effect of the regulation; or (3) the regulation uses terms which do not have meanings generally familiar to those "directly affected" by the regulations, and those terms are defined neither in the regulation no in the governing statute; or (4) the regulation uses language incorrectly. This includes, but is not limited to, incorrect spelling, grammar or punctuation; or (5) the regulation presents information in a format that is not readily understandable by persons "directly affected;" or (6) the regulation does not use citation styles which clearly identify published material cited in the regulation. (b) Persons shall be presumed to be "directly affected" if the: (1) are legally required to comply with the regulation; or (2) are legally required to enforce the regulation; or (3) derive from the enforcement of the regulation a benefit that is not common to the public in general; or (4) incur from the enforcement of the regulation a detriment that is not common to the public in general. [1CCR1.1.2.16]

5.1 The CTC proposal does not meet the standard of *clarity* because the CTC language of the regulation conflicts with the CTC's description of the effect of the regulation.

The following language is quoted from the CTC proposed amendment:
3) The Special Teaching Authorization in Physical Education authorizes the holder to ***teach physical education courses in basic military drill and physical fitness training in grades 12 and below…*** (Bold added for emphasis.) [EC §51225.3(b)]

The following CTC language is quoted from Frequently Asked Questions (FAQs) #1:
The Special Teaching Authorization in Physical Education (PE) for DSSS Teaching Credential holders in ROTC and BMD would recognize that Junior ROTC (JROTC) and BMD teachers who meet PE subject matter requirements and satisfy the basic skills requirement have met a higher standard **to teach PE in the context of a JROTC or BMD course.** (Bold added for emphasis.)

Furthermore, Frequently Ask *(sic)* Question #7 states: *Would holders of the proposed Special Teaching Authorization be allowed to teach regular PE courses? The answer is "No."*

The CTC proposal does not meet the standard of *clarity* because *the regulation can, on its face, be reasonably and logically interpreted to have more than one meaning.* As written, the proposed regulation would give individuals authorization to *teach physical*

education courses in basic military drill (BMD) and physical fitness training in grades 12 and below. Military drill consists of certain movements by which a military unit is moved in an orderly manner from one formation to another or from one place to another. (about.com, Rod Powers, Retired Air Force Sergeant with 22 years of active duty) The authorization will lead some to believe that marching, physical activity, is physical education while others will think that BMD is a course and that courses of physical education can be taught within BMD. This is confusing; none of this language is relevant to the physical education content areas and standards.

The DSSS authorization is clearly stated as for *grades 12 and below*. The proposed authorization will allow these DSSS credentialholders to "teach" children in grades K-12 how to march in synchrony as their physical education. While the CTC claims that course content is a local control decision, which it is, the very essence of this proposed authorization will lead to different interpretations.

The CTC Frequently Asked Questions indicates that these DSSS credentialholders could not teach "regular" physical education. If they are passing the CSET which is one means by which any baccalaureate holder my demonstrate subject matter competence, why aren't they able to teach "regular" physical education? This confusing interpretation by the CTC can be inferred to mean that the CTC truly recognizes that this is a sub-standard authorization.

What does "regular" mean in regard to any subject area? What is "regular mathematics," or "regular science" or "regular history social-science?" What does it mean to be authorized to teach one subject area <u>only</u> within the "context" of another subject area? Would it be reasonable to "authorize" an individual to teach mathematics only in the "context" of science; or to 'authorize" an individual to teaching English-language arts only in the "context" of a history social-science course?

Is it clear to anyone what is meant by the CTC proposal to "teach PE in the context of a JROTC or BMD course"? Or, as the proposed regulation states, is the person authorized to teach "physical education courses" (but not "regular" physical education courses) in Basic Military Drill?

Response to 5.1:
The proposed authorization for the Special Teaching Authorization in Physical Education [reference subsection (d)(3)] reads:

> *"The Special Teaching Authorization in Physical Education authorizes the holder to teach physical education courses in basic military drill and physical fitness training in grades 12 and below, and classes organized primarily for adults. Nothing contained herein is intended to otherwise limit or in any way modify the authority of a local governing board under Education Code Section 51225.3(b)."*

The Special Teaching Authorization in Physical Education will be <u>limited</u> to the teaching of in basic military drill and physical fitness training, which are two areas that fall under the umbrella of "physical education." Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization

in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. The phrase "…in the context of a JROTC or BMD course" as used in the response to FAQ #1 referenced in 5.1 was intended to clarify that the physical education courses in basic military drill and physical fitness training delivered through a course that requires possession of a DSSS Teaching Credential in BMD or ROTC.

The scope of the authorization is limited to the physical education areas of basic military drill and physical fitness training because those are the areas in which the educators have at least four years of experience. The scope of the Special Teaching Authorization in Physical Education is not equivalent to the authorization of a Single Subject Teaching Credential in Physical Education because the educators are not required to verify possession of a baccalaureate degree or complete a Single Subject teacher preparation program.

The use of the word "regular" in #7 of the Frequently Asked Questions referenced in 5.1 was meant to clarify that an educator holding a Special Teaching Authorization in Physical Education would not be authorized to teach traditional physical education courses.

5.2 The CTC proposal does not meet the standard of *clarity* because the regulation presents information in a format that is not readily understandable by persons "directly affected." Letters from selected school administrators and members of school JROTC programs consistently state that this proposal will allow the school districts to substitute physical education credit for JROTC programs instead of for "regular" physical education programs. Few, if any, of the letters of support for this proposal acknowledge that ROTC personnel are <u>only</u> authorized to teach the "Physical Fitness Training" portion of JROTC courses for physical education credit. None of the CTC language addresses standards-based physical education programs. Instead the CTC refers to "regular" physical education course, without describing programs that are not regular physical education. School administrators are persons "directly affected" who have demonstrated confusion. On April 21, 2014 "EdCal," the newspaper of the Association of California School Administrators, contained an article in which one Commissioner was quoted as stating the CTC proposal could "result in school boards raising the bar for JROTC instructors by requiring them to acquire the new credential in order to continue to authorize PE credit for Basic Military Drill/JROTC." The article also states: "Holders of the new special subjects teaching credential are prohibited from using it as an authorization to teach regular PE classes." This article by and for school administrators, who would be directly affected by the CTC proposal, demonstrates that the proposal generates great confusion between "regular" physical education and JROTC, rather than focusing on quality standards-based physical education for all students. Nowhere does the "EdCal" article mention a key item in the proposal that only the "Physical Fitness Training" portion of JROTC courses may be taught under the new authorization for physical education credit. Instead, those "directly affected" obviously believe that the authorization will allow authorization for entire JROTC curriculum course instruction for physical education credit. Other

administrators who demonstrated this type confusion regarding course credit were those who wrote letters of support during the first 15-Day Notice. None of these administrators have acknowledged that provisions already exist that would allow a DSSS credentialholder with a baccalaureate degree to take the CSET. The proposal implies that this is all brand new and standards are being raised.

Response to 5.2:

The majority of the support letters submitted during the initial 15-Day Notice period acknowledge that school districts continue to have the sole discretion in whether or not to allow Physical Education credit for BMD and ROTC courses. The support letters from school administrators and JROTC programs do not state that the proposal will allow the school districts to "substitute physical education credit for JROTC programs instead of for "regular" physical education programs."

The Commission is not responsible for the contents or focus of the EdCal article. However, the excerpts from the EdCal article as provided by the commenter in 5.2 appear to focus on the potential misunderstandings related to the proposed Special Teaching Authorization in Physical Education that were clarified at the April 10, 2014 Commission meeting.

5.3 The CTC proposal does not meet the standard of *clarity* because the ambiguous and misleading language of the CTC proposal suggests that the proposal will raise standards for teaching physical education when common sense states otherwise. Waiving the requirement for the baccalaureate degree, not requiring the subject specific pedagogy course with the CSET, EL certification, and the minimum requirements in a State Sponsored Program: Educational Technology, Literacy in Secondary Schools, and Diversity in Secondary Schools, clearly is lowering credentialing standards for physical education instruction as the same level of preparation will not be met. Diminished requirements do not indicate the raising of standards currently required.

Response to 5.3:

Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

The proposed regulation amendments require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] to qualify for the clear DSSS Teaching Credential. The program standards address the uses of computers in educational settings; the teaching of reading; and equity, diversity and access to the curriculum for all students.

5.4 The CTC proposal does not meet the standard of *clarity* because it only gives physical education teaching authorization for questionable content that is not clearly part of the physical education content standards. *The Physical Education Model Content Standards for California Public Schools: Grades K-12* are based not only on developmentally appropriate methodology, but also include all of the movement areas in which the progress of every California high school student is to be evaluated: effects of physical activity upon dynamic health, mechanics of body movement, individual and dual sports, rhythms and dance; tumbling and gymnastics, combatives, aquatics. (EC §51225.3) The proposed CTC precedent for authorizing personnel to teach only specific aspects of any subject area, rather than "regular" physical education, "regular" mathematics, "regular" language arts, "regular" visual and performing arts, "regular" science, and "regular" history-social science obviously will create great confusion regarding time allotments, scheduling, providing graduation credit, and will greatly impede the implementation of quality, articulated and comprehensive curriculum standards for all students in any subject area, including assessment of student learning in physical education. [5CCR10060(c)(vii)]

Response to 5.4:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Title 5 of the California Code of Regulations section 10060 establishes the criteria for appraising the quality of physical education programs in senior or four-year high schools that California schools districts must follow. This Title 5 section does not fall under the purview of the Commission; however, the Special Teaching Authorization in Physical Education will not affect a school district's procedures when appraising the quality of physical education programs.

5.5 The CTC proposal does not meet the standard of *clarity* because it creates confusion regarding future professional development for holders of the proposed "authorization." Will the BMD and ROTC personnel participate in the California Subject Matter Project for Physical Education and Health, or will they participate in Military professional development, or both? How will school districts support professional development for the holders of this proposed authorization – those "authorized" to teach physical education in context of BMD and ROTC, but not "regular" physical education? It creates great confusion in planning for professional development to appropriately meet teacher and student needs.

Response to 5.5:
Professional development, also known as "professional growth," is no longer a requirement for renewal of a (professional) clear teaching credential. The opening

paragraph of Education Code section 44277 as amended by SB 1209 (Chap. 517, Stats. 2006) reads:

> *"The Legislature recognizes that effective professional growth must continue to occur throughout the careers of all teachers, in order that teachers remain informed of changes in pedagogy, subject matter, and pupil needs. In enacting this section, it is the intent of the Legislature to encourage teachers to engage in an individual program of professional growth that extends their content knowledge and teaching skills and for school districts to establish professional growth programs that give individual teachers a wide range of options to pursue as well as significant roles in determining the course of their professional growth."*

Subsections (a) and (b) of Education Code section 44277 provide suggested activities that may be included in "individual programs of professional growth."

5.6 The CTC proposal creates confusion on a massive scale related to scheduling, time monitoring, and the monitoring of student progress in the eight physical education content areas as it is not clear what the holders of this DSSS credential are truly authorized to teach: "activity areas," "physical fitness training," and/or "physical education courses in BMD and ROTC."

Response to 5.6:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7).

The remaining comments are dismissed pursuant to Government Code section 11346.9(a)(3) as they are not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments. The Commission does not have purview over scheduling, time monitoring, or the monitoring of student progress and the proposed regulation amendments are not related to those issues.

5.7 The CTC proposal does not meet the standard of *clarity* because there is a misassumption that ROTC and BMD "physical fitness training" is "physical education." Physical fitness is a general term. In physical education, the "effects of physical activity upon dynamic health" is taught as health-related fitness with a focus on developing lifelong activities and habits that promote health. The ROTC military fitness testing uses tests that are not health-related. Exercise scientists have identified several of the ROTC training exercise to be contraindicated exercises that may cause or contribute to later injury when done in preparation for the military physical fitness tests. Physical fitness preparedness for military service would be better served with a quality physical education program that is supplemented by the activity in the less active BMD and ROTC programs.

Response to 5.7:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD

courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

APPENDIX A-6

6. **The CTC proposal does not meet the standard of *NON-DUPLICATION.***

A regulation shall "serve the same purpose," as that term is used in Government Code Section 11349(f), where it either repeats or rephrases in whole or in part a state or federal statute or regulation. (b) A regulation which duplicates a state or federal statute or regulation shall, nonetheless, meet the "non-duplication" standard of Government Code Section 11349.1 if any one of the following conditions is met: (1) The proposed regulation duplicates or overlaps a state or federal statute or regulation which is cited as "authority" or "reference" for the proposed regulation and the duplication or overlap is necessary to satisfy the "clarity" standard of Government Code Section 11349.1(a)(3). Justification for such duplication shall be provided by inclusion of facts, explanations, expert opinions or other information in the rulemaking record which establish that the overlap or duplication is necessary in order for the regulation to satisfy the requirements of Government Code Section 11349.1(a)(3); or (2) The agency meets the requirement of Government Code Section 11346.9(c) when adopting or amending federally mandated regulations; or (3) The duplication is mandated or authorized by a specified statute or other provision of law. The agency shall include a statement in its rulemaking records which: (A) identifies the state or federal statute(s) or regulation(s) which the regulation under review overlaps or duplicates, and (B) identifies the provision of law which mandates or permits the overlap or duplication. This statement shall set forth the applicable provision of law in a citation style which clearly identifies the statute or regulation and provides information necessary to locate the full text of the statute or regulation. [1CCR1.1.2.12]

6.1 The CTC proposal does not meet the standards of *non-duplication* because the proposal overlaps at least two state statutes which are cited as authority or reference for the proposed regulation and the CTC has not provided justification by including facts, explanations, expert opinions or other information in the rulemaking record which establish that the overlap is necessary in order for the regulation to satisfy the requirements of Government Code Section 11348.1(a)(3).

Response to 6.1:
The comment in 6.1 does not identify the two state statues that the proposed regulations allegedly overlap or in what manner the overlap occurs. The proposed regulation amendments do not repeat, rephrase, or overlap any statute or regulation.

6.2 The CTC proposal does not meet the standards of *non-duplication* because the proposal is not related to the adoption or amendment of federally mandated regulations.

Response to 6.2:
Title 1 of the California Code of Regulations section 12(b) details the situations in which the "nonduplication" standard of Government Code section 11349.1 shall be met when a regulation duplicates a state or federal statute or regulation. Subsection (b)(2) of Title 1 of the California Code of Regulations section 12, as rephrased in 6.2, does not apply because the proposed regulation amendments do not repeat, rephrase, or overlap any statute or regulation.

6.3 The CTC proposal does not meet the standards of *non-duplication* because the duplication is not mandated or authorized by a specified statute or other provision of law.

Response to 6.3:
Title 1 of the California Code of Regulations section 12(b) details the situations in which the "nonduplication" standard of Government Code section 11349.1 shall be met when a regulation duplicates a state or federal statute or regulation. Subsection (b)(2) of Title 1 of the California Code of Regulations section 12. Subsection (b)(3) of Title 1 of the California Code of Regulations section 12, as rephrased in 6.3, does not apply because the proposed regulation amendments do not repeat, rephrase, or overlap any statute or regulation.

APPENDIX A-7

7. **The CTC proposal does not meet the standard of *DETERMINATION OF EFFECT ON SMALL BUSINESS***

(a) The notice of proposed adoption or amendment of a regulation shall include a determination as to whether or not the adoption or amendment affects small business. For purposes of this section, an adoption or amendment affects small business if a small business within the meaning of Government Code section 11342.610: (1) Is legally required to comply with the regulation; (2) Is legally required to enforce the regulation; (3) Derives a benefit from the enforcement of the regulation; or (4) Incurs a detriment from the enforcement of the regulation. (b) If an agency determines that the regulation does not affect small business, the agency shall include in the notice of the proposed action a brief explanation of the reason(s) for the agency's determination.

7.1 The CTC proposal has not met the APA standard of the *determination of effect on small business* because the proposed amendment of the regulations did not include a determination as to whether or not the amendment affects small business.

Response to 7.1:
The following statement was included in the "Effect on small businesses" sections of the "Notice of Proposed Rulemaking" (bottom of page 4 and top of page 5 at http://www.ctc.ca.gov/notices/rulemaking/2013-12-DSSS/2013-12-DSSS-npr.pdf) and Coded Correspondence 13-16 (bottom of page 13 at http://www.ctc.ca.gov/notices/coded/2013/1316.pdf) to comply with the provisions of Title 1 of the California Code of Regulations section 4(a):

"The proposed regulations will not have a significant adverse effect upon business."

7.2 The CTC proposal has not met the APA standard of the *determination of effect on small business* because the agency did not include a brief explanation of the reason(s) for the agency's determination.

Response to 7.2:
The following statement was included in the "Effect on small businesses" sections of the "Notice of Proposed Rulemaking" (bottom of page 4 and top of page 5 at http://www.ctc.ca.gov/notices/rulemaking/2013-12-DSSS/2013-12-DSSS-npr.pdf) and Coded Correspondence 13-16 (bottom of page 13 at http://www.ctc.ca.gov/notices/coded/2013/1316.pdf) to comply with the provisions of Title 1 of the California Code of Regulations section 4(b):

> *"The regulations apply only to individuals who hold or seek Designated Subjects Special Subjects Teaching Credentials that authorize service in California's public schools."*

7.3 It is the position of CAHPERD, based upon contacting small business vendors of physical education equipment and instruction materials developed to assist LEAs to implement the *California Model Physical Education Content Standards for Grade Kindergarten Through Grade Twelve*, that small businesses will be negatively impacted by amended regulations that serve to encourage LEAs to substitute/supplant JROTC courses for comprehensive, developmental, sequential physical education courses taught by highly qualified teachers who are familiar with using the appropriate instructional and assessment tools to help students achieve the content standards in physical education.

Response to 7.3:
An LEA is responsible for providing a Physical Education course of study that includes the eight areas in Education Code section 33352(b)(7). No specific information has been provided to support the claim that the Special Teaching Authorization in Physical Education will affect the type or amount of physical education equipment and instruction materials an LEA will need to provide the prescribed course of study.

APPENDIX A-8

8. The CTC did not follow appropriate ***PROCEDURES***.

8.1 The CTC did not involve collaboration in the development of the proposed Title 5 amendments with key groups, agencies, or personnel "directly affected" by the amendments, including higher education teacher preparation programs, the California Department of Education and the State Board of Education, LEA physical education program coordinators and consultants, physical education professional associations, to name a few.

Response to 8.1:
Government Code section 11346.45(a) reads:

> *"In order to increase public participation and improve the quality of regulations, state agencies proposing to adopt regulations shall, prior to publication of the notice required by Section 11346.5, involve parties who would be subject to the proposed*

regulations in public discussions regarding those proposed regulations, when the proposed regulations involve complex proposals or a large number of proposals that cannot easily be reviewed during the comment period."

The proposed amendments to Title 5 of the California Code of Regulations section 80037 do not "involve complex proposals or a large number of proposals that cannot easily be reviewed during the comment period." The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

8.2 The CTC did not access or provide key research and data to provide rationale for developing such a proposal or to indicate the impact this proposal will have on students and school programs.

Response to 8.2:
Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training and local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3). The authorization would serve as an incentive for ROTC and BMD credential holders to become better prepared to teach Physical Education courses in basic military drill and physical fitness training delivered through a course that requires possession of a DSSS Teaching Credential in BMD or ROTC.

8.3 After the 45-day notice and Public Hearing, this proposal was defeated in February by a vote of 6-4 with a strong voice of opposition to this proposal from the Commissioner appointed by the Superintendent of Public Instruction and representing the California Department of Education. Notice was sent out for a 15-day review of the remaining items on the list of CTE amendments. Since the specific proposal had been voted down, those who supported the "no" vote were not made aware that this item would be brought back up. In the meantime, associations that had not participated in the 45-day window for input, including the Association for California School Administrators and the California School Boards Association, suddenly sent in letters opposing the "NO" vote, of the Commission, as did some members of the military who had already provided input during the 45-day period as well as at the Public Hearing. Those who had provided input to support the "no" vote during the 45-day period and during the Public Hearing were not made aware that they had to respond again to support the "no" vote during the 15-day notice period following the "no" vote. The fact that there was such a strong voice against the proposal up to and during the Public Hearing, and yet not a single response supporting the "no" vote during the 15-day input period following the "no" vote is evidence that the notice regarding the need for input, one the Commission had voted on the item, certainly lacked clarity.

Response to 8.3:
The 15-Day Notice dated February 26, 2014 stated that any person who wishes to comment on the proposed modifications could do so by submitting written comments

postmarked beginning February 27 through March 14, 2014. The written comments were to be restricted to the "recent modifications" to the proposed language, meaning the modifications to remove the language pertaining to the Special Teaching Authorization in Physical Education. The Commission received 54 letters in support of the proposed modifications included in the 15-Day Notice dated February 26, 2014 and those letters were provided to all members of the Commission prior to the April 10, 2014 Commission meeting. Any member of the public could respond to the proposed regulation modifications during the 15-Day Notice period, even if he/she did or did not respond during the 45-day comment period.

3. Warren Fletcher, President, United Teachers Los Angeles
Comment #1:
I am writing as the President of United Teachers Los Angeles (UTLA) representing UTLA's official position in opposition to **the proposal to amend Title 5 California Code of Regulations (CCR) §80037 to Establish a Special Teaching Authorization in Physical Education for holders of Designated Subjects Special Subjects Teaching Credentials in Basic Military Drill (BMD) and Reserve Officer Training Corps (ROTC)**. The House of Representatives, the policy making body of the UTLA, voted in opposition to the language regarding the change to the CTE credential for JROTC and BMD instructors.

It is already possible for a school board to approve JROTC/BMD courses for PE credit. These courses are approved for PE credit at LAUSD schools. UTLA has worked in partnership with LAUSD to provide quality physical education for all students for two years, including students interested in JROTC/BMD, through a team teaching model with a credentialed PE teacher. This is our local solution and it has been a successful partnership. Other Districts in California have developed other ways to allow students to receive PE credit for JROTC/BMD courses while also receiving a standards-based PE program.

UTLA is not opposing the LEA's authority to approved JROTC/BMD courses, however, we believe it is also the LEA's responsibility to approve the JROTC/BMD CTE instructor to teach a course that is outside of their credential authorization through **a local teaching assignment option**. The P.E. CSET authorizes an individual with a qualifying base credential. CTE teachers cannot add EL Authorization through the CSET nor can they be authorized to teach P.E. through the P.E. CSET. Perhaps the CTC could give an endorsement recognizing CTE JROTC/BMD teachers who pass the P.E. CSET and the CBEST, recognizing their extra qualifications.

Response to Comment #1:
The authorization would serve as an incentive for ROTC and BMD credential holders to become better prepared to teach Physical Education courses in basic military drill and physical fitness training delivered through a course that requires possession of a DSSS Teaching Credential in BMD or ROTC.

The proposed regulations require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] that will result in the addition of a Specially Designed Academic Instruction in English (SDAIE) EL authorization at the time the clear credential is issued [reference subsection (d)(2) in the proposed regulation text].

Local governing boards may require an individual to hold a clear DSSS Teaching Credential with the SDAIE authorization prior to employment or request issuance of a CCSD Variable Term Waiver to authorize the instruction of English learners while an individual holds a preliminary DSSS Teaching Credential. In addition, holders of preliminary or clear DSSS Teaching Credentials have the option of earning a Clear CLAD Certificate or adding an English learner authorization to their documents by completing a CTEL program or passing the CTEL examinations (reference Title 5 of the California Code of Regulations section 80015).

Current holders of clear DSSS Teaching Credentials issued prior to approval of the proposed regulation amendments may complete an approved program to earn a CCSD, which authorizes the instruction of English learners in specially designed content instruction delivered in English in grades twelve and below and in classes organized primarily for adults.

Comment #2:
In the current FAQ's the explanation for establishing this special authorization was presented as an effort to acknowledge the extra qualification of the CTE individuals who also have passed the CSET and the PE CSET. At the September 2013 CTC, meeting when the change to the JROTC/BMD credential were introduced, the meeting materials stated that the purpose was to address declines in the Basic Military Drill and R.O.T.C. programs.

> "Some employing agencies allow holders of special subjects teaching credentials in Basic Military Drill and R.O.T.C. to teach physical education under EC §51225.3 while others do not. Pupils attending schools that do not grant high school graduation credit in physical education for Basic Military Drill and R.O.T.C. courses **are forced to enroll in traditional physical education courses** in order to meet statutory graduation requirements, **thereby causing enrollment declines in the Basic Military Drill and R.O.T.C. programs**.
>
> Holders of special subjects teaching credentials in Basic Military Drill and R.O.T.C. and **not currently required to meet the same subject matter requirements that credentialed physical education credential holders must meet, which may explain the reticence of some local governing boards to recognize these courses as meeting the physical education graduation requirements**.
>
> While physical education is an integral component in all branches of the military, Basic Military Drill and R.O.T.C. special subjects teaching credentials do not currently include a specific physical education teaching authorization. The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization in the areas of basic military drill and physical fitness training.

On the CTC web site FAQ's, Question # 10; the answer seems to contradict the original stated reason for this change.

> #10. "If the Commission adopts these regulations, will more students be able to opt out of general PE courses in favor of JROTC/BMD courses?

The availability of JROTC/BMD courses and programs is a local decision, and adding the Special Teaching Authorization in PE to the credential is not expected to enable or constrain the growth of these programs.

Response to Comment #2:
Oral testimony provided by Dr. Ryan at the February 14, 2014 Public Hearing clarified the two types of BMD and JROTC programs in California:

- *Federally funded JROTC programs that require a minimum enrollment of 100 students; and*
- *State funded California Cadet Corps programs that do not have a minimum enrollment requirement*

Dr. Ryan also testified that there are approximately 350 JROTC programs in California (with enrollment of at least 100 students) and that the current enrollment of the California Cadet Corps programs is approximately 6,000 students.

The rulemaking documents include the following statement regarding the benefits of the proposed regulation amendments:

> *"The Commission anticipates that the proposed amendments will benefit the welfare of the students attending public schools in the State of California by creating a Special Teaching Authorization in Physical Education that LEAs may potentially use in conjunction with Education Code section 51225.3 to grant physical education high school graduation credit for basic military drill and physical fitness training courses taught by holders of Designated Subjects Special Subjects Credentials in BMD and ROTC, thereby increasing the students' course options."*

The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. LEAs that choose to grant physical education high school graduation credit for basic military drill and physical fitness training courses taught by the holder of a DSSS credential with the Special Teaching Authorization will provide students with additional course options to satisfy the prescribed physical education high school graduation requirement. Such options may provide the enrollment numbers for continuation of JROTC programs in California public schools.

Comment #3:
According to the FAQ's on the CTC web site that, "Holders of the DSSS Credential who do not complete these requirements **will still be authorized**, by school board action, **on a local teaching assignment option** in the Education Code or Title 5 regulations, to teach PE in the context of JROTC or BMD courses that have been approved to carry PE credit. Currently an LEA already can grant credit for JROTC and BMD courses taught by an appropriately credentialed CTE teacher.

The assumption would be that the holder of Holders of the DSSS Credential who complete these requirements would ***not need to be authorized***, by school board action, ***on a local teaching assignment option*** in the Education Code. Currently the LEA takes responsibility to provide standards-based physical education courses through the specific JROTC and

BMD courses that LEA approves that are taught by the instructors authorized by the local teaching assignment option the LEA has requested.

The change that will result from the CTC's proposed changes creating this specialized authorization appears to be that the LEA will not need to authorize the CTE teacher to teach a course receiving PE credit once the course is approved. In the answer to #6 of the FAQ's it states that, "Holders of this Special Teaching Authorization in PE would only be able to teach JROTC or BMD courses that have been approved by their local school board to carry PE credit."

In response to the question "**How can JROTC/BMD courses qualify for PE credit?"**

Current law provides local school boards the authority to offer PE credit for a JROTC/BMD course as part of the high school curriculum **provided the course meets the Physical Education Content Standards for California Public Schools** adopted by the State Board of Education and the local governing board takes special action at a public meeting to grant PE credit for these courses. Under current law, DSSS Teaching Credential holders in ROTC/BMD may currently teach these courses. However this statement does not include the responsibility of the LEA to request that the CTE instructors are authorized by the local teaching assignment option.

Currently the LEA takes responsibility for the course content Education Code (EC) §33352 establishes the type and required instructional minutes of physical education instruction to be provided in the public schools. Specifically, subsection (b)(7) of EC §33352 requires a Local Education Agency (LEA) to provide a course of study for high school physical education that includes a developmentally appropriate sequence of instruction in the following eight areas:

1) the effects of physical activity upon dynamic health;
2) the mechanics of body movement;
3) aquatics;
4) gymnastics and tumbling;
5) individual and dual sports;
6) rhythms and dance;
7) team sports; and
8) combatives.

In the September CTC materials it stated that, "Basic military drill and physical fitness training activities associated with Basic Military Drill and R.O.T.C. courses may include instruction in some or all of the listed areas." This, again, is the responsibility of the LEA.

The LEA has the authority and the responsibility to make sure the JROTC/BMD courses meet the required California standards for physical education. The LEA should retain the responsibility for the course and the decision to assign the CTE instructor. Many UTLA members who are not physical education teachers have expressed concern and confusion over the proposed actions of the CTC because the Commission is authorizing a CTE instructor to teach a class that would otherwise be taught by a person with a college degree and a Secondary P.E. credential. We hope the CTC will reconsider the proposed changes to the CTE JROTC/BMD credential and work toward a solution that retains the LEA's

authority and responsibility while also acknowledging the extra qualifications of the CTE JROTC/BMD instructors who have passed the CSET P.E. and the CBEST.

We thank you for your consideration of this very important matter.

Response to Comment #3:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). The content of the course curriculum is the determining factor for assignment purposes. The Commission's concern is not generally with the credit earned for the course; however, it may be a guide to determining who should teach a specific course. The teacher of a course in which the curriculum content is JROTC must hold a DSSS Teaching Credential in ROTC, regardless of the type of high school graduation credit that is awarded. If the LEA determines that the content of the course includes Physical Education areas in addition to those offered in the ROTC curriculum, a local teaching assignment option will be required to authorize the assignment of the an educator who holds only a DSSS credential in ROTC.

4. Lisa Henriques, President, California Science Teachers Association
Comment #1:
The "Special Teaching Authorization in Physical Education" will allow preliminary DSSS credential holders to teach physical education in ROTC and BMD without possessing the following: 1) a baccalaureate degree, 2) English Learner (EL) certification, 3) technology competency, and 4) a subject specific pedagogy course. These omissions result in lower teacher preparation standards and thus deny students access to qualified teachers in a state-mandated graduation requirement.

Response to Comment #1:
Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

Education Code section 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials. The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Although the proposed regulations do not include an EL authorization for the preliminary DSSS Teaching Credential, the proposed regulations do require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] that will result in the addition of a Specially Designed Academic Instruction in English (SDAIE) EL

authorization at the time the clear credential is issued [reference subsection (d)(2) in the proposed regulation text].

Local governing boards may require an individual to hold a clear DSSS Teaching Credential with the SDAIE authorization prior to employment or request issuance of a CCSD Variable Term Waiver to authorize the instruction of English learners while an individual holds a preliminary DSSS Teaching Credential. In addition, holders of preliminary or clear DSSS Teaching Credentials have the option of earning a Clear CLAD Certificate or adding an English learner authorization to their documents by completing a CTEL program or passing the CTEL examinations (reference Title 5 of the California Code of Regulations section 80015).

Current Education Code and Title 5 of the California Code of Regulations language authorizes the Commission to issue preliminary Single Subject Teaching Credentials without an English learner authorization to teachers credentialed outside California as follows: credentialed in another state – Education Code section 44274.2 and subsections (a)(1) and (b)(1) of Title 5 of the California Code of Regulations section 800413.3 (out-of-state credentialed teachers must earn an EL authorization to qualify for the clear credential); credentialed outside the United States – Education Code section 44275.4 (teachers credentialed outside the United States are <u>not</u> required to earn an EL authorization to qualify for the clear teaching credential).

The proposed regulation amendments require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] to qualify for the clear DSSS Teaching Credential and Standard 11 addresses the uses of technology in the classroom. LEAs may require an individual to hold a clear DSSS Teaching Credential, confirmation from an approved program sponsor that the holder of a preliminary DSSS credential has completed Standard 11, or passage of the Preliminary Educational Technology Test prior to designating an ROTC or BMD class as eligible for Physical Education graduation credit pursuant to Education Code section 51225.3(b).

A specific subject pedagogy course is one of the requirements to earn a Single Subject Teaching Credential under the provisions of Title 5 of the California Code of Regulations section 80499. The authorization of the proposed Special Teaching Authorization in Physical Education is not equivalent to the authorization of a Single Subject Teaching Credential in Physical Education. The authorization of the proposed Special Teaching Authorization in Physical Education is limited to physical education courses in basic military drill and physical fitness.

Comment #2:
The proposed Title 5 regulation amendments are not and never were needed. California is a local control state. Local governing boards have the authority to identify course content for credit given. They need to provide appropriately credentialed teachers for all courses and may do so using a variety of different options by following specified procedures.

Response to Comment #2:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code

section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #3:
At issue is upholding the teacher preparation standard across all content areas. Teachers need to have both content and pedagogical knowledge and skills.

Response to Comment #3:
One of the requirements for a DSSS Teaching Credential in BMD or ROTC is a minimum of four years of military service and issuance of the clear credential requires completion of a Commission-approved designated subjects program and verification of two years of successful full-time teaching experience. The proposed requirements for the Special Teaching Authorization in Physical Education are possession of a DSSS Teaching Credential in BMD or ROTC, satisfaction of the basic skills requirement, and verification of subject matter knowledge in Physical Education by passing the CSET for Physical Education or by completing a Commission-approved subject matter program in Physical Education.

Comment #4:
Safety training, injury prevention practices, and the science of human movement are critical components among many others to a physical education teacher preparation program. By side-stepping the teacher preparation program, these regulations pose a potential threat to the health and safety of students.

Response to Comment #4:
Title 5 of the California Code of Regulations section 10060 establishes the criteria for appraising the quality of physical education programs in senior or four-year high schools that California schools districts must follow. This Title 5 section does not fall under the purview of the Commission; however, the Special Teaching Authorization in Physical Education will not affect a school district's procedures when appraising the quality of physical education programs.

5. Rick Jahnkow, Program Coordinator, Project on Youth and Non-Military Opportunities
Comment #1:
In February our organization opposed amending Title 5 of the CCR to create a special PE teaching authorization for JROTC and Basic Military Drill instructors. In response to what the Commission heard at the February 14 hearing, its members voted to remove the special PE teaching authorization clause from the proposed changes to Title 5. Since that clause

was then deleted from the proposed amendment to Title 5, we had no reason to submit further comment on the topic.

Response to Comment #1:
The 15-Day Notice dated February 26, 2014 stated that any person who wishes to comment on the proposed modifications could do so by submitting written comments postmarked beginning February 27 through March 14, 2014. The written comments were to be restricted to the "recent modifications" to the proposed language, meaning the modifications to remove the language pertaining to the Special Teaching Authorization in Physical Education. After the close of the initial 15-Day Notice period, the Commission received 54 letters in support of the proposed modifications included in the 15-Day Notice dated February 26, 2014 and those letters were provided to all members of the Commission prior to the April 10, 2014 Commission meeting.

Comment #2:
Later, a Commission majority voted to reintroduce the special PE teaching authorization clause to the proposed amendment to Title 5. Since this language had been formally rejected by the Commission in February, we regard its reappearance as a new proposal, to which we are responding with this letter.

Response to Comment #2:
The Commission voted to restore the language pertaining to the Special Teaching Authorization in Physical Education to the proposed regulations following oral presentations that clarified several potential misunderstandings as follows:

1) *The Commission does not have the authority to decide if JROTC or BMD courses may be awarded high school graduation credit in the area of Physical Education. The authority to designated ROTC and/or BMD courses as eligible for high school graduation credit in Physical Education rests with governing boards of California LEAs as provided in Education Code section 51225.3(b);*
2) *The proposed authorization would allow ROTC and BMD credential holders to demonstrate a higher level of preparation (by satisfying California's basic skills requirement and verification of subject matter knowledge in Physical Education) and have that preparation recognized on their credentials through issuance of the Special Teaching Authorization;*
3) *The proposed authorization would serve as an incentive for ROTC and BMD credential holders to become better prepared to teach Physical Education in the context of a JROTC or BMD course, if such a course is approved for Physical Education credit by a local governing board.*

Comment #3:
We believe there are numerous reasons for not adopting the proposed special PE authorization, but we are focusing here on one critical issue that has not been addressed by the Commission: the fact that eligibility for the proposed special authorization includes a mandate to use it only in conjunction with the JROTC curriculum, and that there has been no investigation to establish whether the content of that curriculum is actually aligned with the teaching of PE.

Response to Comment #3:
Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

Comment #4:
We believe that curriculum must always be considered when deciding whether an individual's credential or special teaching authorization is appropriate for a specific teaching assignment, and if the course curriculum is not primarily aligned with the subject of the person's credential, the individual should not be assigned to teach the subject to the class.

To reinforce this point, we quote here from a Coded Correspondence concerning JROTC and physical education that was issued by the Commission's own executive director in 2009 (emphasis added):

> *The content of the course curriculum for a course is the determining factor for assignment purposes. The appropriate credential or authorization for the assignment must align with the primary content or focus of the course.*
>
> *The credential or authorization held by an individual indicates that he/she has been prepared to teach the course curriculum subject-matter content. The Commission's concern is not generally with the credit earned for the course; however, it may be a guide to determining who should teach a specific course. For determining appropriate assignment, a review of the course title and curriculum content may determine which credential or authorization is the appropriate choice. (Coded Correspondence 09-10, 6/23/2009)*

Whether or not JROTC instructors qualify for a designated subjects special subjects credential for JROTC instruction is not the issue here. It is whether or not the special PE teaching authorization that the Commission is considering is an appropriate designation for what JROTC instructors actually do within the curriculum they are handed—which, by the way, is designed and controlled by the Pentagon, not state or local education agencies.

Response to Comment #4:
The teacher of a course in which the curriculum content is JROTC must hold a DSSS Teaching Credential in ROTC, regardless of the type of high school graduation credit that is awarded. If the LEA determines that the content of the course includes Physical Education areas in addition to those offered in the ROTC curriculum, a local teaching assignment option will be required to authorize the assignment of the an educator who holds only a DSSS credential in ROTC.

Comment #5:
Our organization has devoted 20+ years to researching and analyzing the JROTC curriculum, and we can say without a doubt that it has little to do with meeting the PE standards of California. JROTC class content does include some units on health and physical activity, but it is devoted primarily to topics such as geography, marksmanship training, military customs and practices, military leadership, war-related studies, and history and civics taught from a military perspective. Only a minor part of the class time is devoted to health and physical activity, which includes learning to march in ranks (i.e., "drill"). For example, the attached pages are from the program outline for four years of Army JROTC and National Defense Cadet Corps. They show very little time prescribed for physical activity and health education.

Comment #6
Some might think that the only relevant factor is that the special PE teaching authorization would require course work that demonstrates competency in the PE subject area; however, the required course work pales in comparison to what is required for a regular PE teaching credential. Furthermore, the proposed special authorization is linked exclusively to JROTC or Basic Military Drill, which means that the curriculum and its content are part of the qualifying equation. The curriculum, therefore, should be reviewed to determine if a PE teaching authorization would "align with the primary content of the course." Without such a review and finding, this proposal should be rejected by the Commission.

Responses to Comments #5 and #6:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

The "JROTC Program of Instruction" document is attached to the letter submitted by Mr. Jahnkow.

6. Kathlan Latimer, President, California Mathematics Council
Comments:
The Special Teaching Authorization in Physical Education will allow preliminary Designated Subjects Special Subjects credentailholders to teach physical education in ROTC and BMD without possessing the following: 1) a baccalaureate degree, 2) English Learner certification, 3) technology competency, and 4) a subject specific pedagogy course. These omissions result in lower teacher preparation standards and thus deny students access to qualified teachers in a state-mandated graduation requirement subject.

Response to Comments:
Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching

Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

Education Code section 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials. The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Although the proposed regulations do not include an EL authorization for the preliminary DSSS Teaching Credential, the proposed regulations do require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] that will result in the addition of a Specially Designed Academic Instruction in English (SDAIE) EL authorization at the time the clear credential is issued [reference subsection (d)(2) in the proposed regulation text].

Local governing boards may require an individual to hold a clear DSSS Teaching Credential with the SDAIE authorization prior to employment or request issuance of a CCSD Variable Term Waiver to authorize the instruction of English learners while an individual holds a preliminary DSSS Teaching Credential. In addition, holders of preliminary or clear DSSS Teaching Credentials have the option of earning a Clear CLAD Certificate or adding an English learner authorization to their documents by completing a CTEL program or passing the CTEL examinations (reference Title 5 of the California Code of Regulations section 80015).

Current Education Code and Title 5 of the California Code of Regulations language authorizes the Commission to issue preliminary Single Subject Teaching Credentials without an English learner authorization to teachers credentialed outside California as follows: credentialed in another state – Education Code section 44274.2 and subsections (a)(1) and (b)(1) of Title 5 of the California Code of Regulations section 800413.3 (out-of-state credentialed teachers must earn an EL authorization to qualify for the clear credential); credentialed outside the United States – Education Code section 44275.4 (teachers credentialed outside the United States are <u>not</u> required to earn an EL authorization to qualify for the clear teaching credential).

The proposed regulation amendments require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] to qualify for the clear DSSS Teaching Credential and Standard 11 addresses the uses of technology in the classroom. LEAs may require an individual to hold a clear DSSS Teaching Credential, confirmation from an approved program sponsor that the holder of a preliminary DSSS credential has completed Standard 11, or passage of the Preliminary Educational Technology Test prior to designating an ROTC or BMD class as eligible for Physical Education graduation credit pursuant to Education Code section 51225.3(b).

A specific subject pedagogy course is one of the requirements to earn a Single Subject Teaching Credential under the provisions of Title 5 of the California Code of Regulations section 80499. The authorization of the proposed Special Teaching Authorization in Physical Education is not equivalent to the authorization of a Single Subject Teaching Credential in Physical Education. The authorization of the proposed Special Teaching Authorization in Physical Education is limited to physical education courses in basic military drill and physical fitness.

Responses Representing Individuals in Opposition of the Modifications:

1. Susie Aames, Teacher
2. Tiffany Adams, Citizen
3. Kasey Addiego, Physical Education Teacher
4. Ellis A. Almuina, Citizen
5. Matthew Atencio, Assistant Professor
6. Kaitlin B. (illegible last name), Citizen
7. Susan Badger, Campus Supervisor
8. Fred Bastanchury, Teacher
9. Becky Beal, Professor
10. Lucille Berger, Executive Director
11. Even Berhe, Student
12. Frederick Berona, Graphic Designer
13. Jeanette Bicais, Associate Dean, CSU East Bay
14. Candace Boran, Counselor
15. N. Bostock, Substitute
16. Larry Braverman, Citizen
17. Kecia Carrasco, Fiscal Manager
18. Nick Carrasco, Logistics
19. Christine Carri, Citizen
20. Scott M. Carri, Physical Education/Adapted Physical Education Teacher
21. Valerie Carri, Teacher
22. Mitchel Carter, AP
23. Marianella Castro, Counselor
24. Brent Chamberlain, College Student
25. Eric Chamberlain, Business Owner
26. Jeanne A. Chamberlain, Classroom Teacher
27. Ryann Cheung, Parent
28. Mark Chimente, Teacher
29. Eric Chipponeri, Teacher
30. Brandon Chrest, Student: CSU Fresno
31. Janet Clark, Teacher
32. Peter Clayton, Teacher
33. Lorraine Condes, Counselor
34. Alena M. Cook, Physical Education Teacher
35. Michelle Cook, Resource Specialist Teacher
36. Mark A. Cordano, Teacher
37. Simara Cortave, Special Education Teacher
38. Marie Crosby, Consultant II
39. Thomas S. Daniels, Teacher
40. Christine Davis, Customer Care Supervisor
41. DeWanne Davis, Secretary
42. Emil DeAndres, Substitute (signed two separate but identical responses)
43. Michael Dehn, Teacher
44. Anthony Denaro, program Consultant
45. Caryn Doherty, Social Worker
46. Kevin Doherty, Teacher
47. Terence Doherty, Teacher
48. Kenneth Dyar, Director of Physical Education and After School Programs, Delano Union School District
49. Taya Ellis, Assistant SDC Teacher
50. James C. Eppenbach, Director, Human Resources
51. Marlene Eppenbach, Finance Staff
52. Joel Eros, Conference Coordinator
53. Hamde Farha, Teacher
54. Katie Fenton, Marketing Manager
55. Philip Ferrigno, Physical Education Department Head
56. Brandi Fletcher, Teacher
57. Julia Floyd, Citizen
58. A. S. Frazier, Educator
59. Kristin Fyfe, Nutrition Specialist

60. Brenda Garcia, Admin Support
61. Giovanni Garcia, Student
62. Zulema Garcia, HCA
63. Apolonia Garza, Health Aide
64. Richard Garza, Electrician
65. Veronica Garza, Student/Production
66. Victoria Garza, Student
67. Chris Giovannin, Physical Education Teacher/Athletic Director
68. Claudio Godines, Server
69. Angela Gonzales, Professional Expert
70. Carlos Gonzalez, Citizen
71. Leticia Gonzalez, Director of Dissemination
72. Stephanie Grgich, Teacher
73. Beverly A. Harris, Physical Education Teacher
74. Don Harris, Teacher
75. Annette Hatch, Teacher
76. Ash E. Hayes, Former Executive Director of the President's Council on Physical Fitness and Sports
77. Betty F. Hennessy, Project Director III (Retired)
78. Jessica Hernandez
79. Albert Hirsch, Teacher
80. Jessica Holik, Parent
81. (illegible name), Physical Education Teacher
82. Theodore Iwuagwu, Teacher
83. Sue K. (illegible last name), Teacher
84. Naomi Kadinoff, Teacher
85. Angie Karas, Teacher
86. Simnan Kumar, Student
87. John LaHaie, Special Education Teacher
88. Albert Lamanna, Teacher
89. Kelly LaPachet, Teacher
90. Anne Larson, Kinesiology Professor, CSU Los Angeles
91. Fernando R. Ledesma, Assistant Superintendent (Retired)
92. Linda L. Ledesma, Secretary (Retired)
93. Marvin Lee, Accounting Specialist-LT
94. Mary Lehman, Parent
95. Victoria Leslie, Parent
96. Shari Lewis, Manager
97. Rita Liberti, Professor
98. Jose Lopez, Citizen
99. Juan Lopez, Physical Education
100. Geri Lorenzana, Nutrition Specialist
101. Maya Luna, Teacher
102. Za'Nean McClain, Assistant Professor
103. Penny McCullagh, Professor and Chair-Department of Kinesiology CSU East Bay
104. Derek Mena
105. Claudia Mendez, Teacher
106. Alesandra Meyers, Special Education Teacher
107. Natalie Miano, Professional Expert
108. Mirella Miranda, Communications Manager
109. Steven Mucci, Teacher
110. Aiko Murase, Citizen (signed two separate but identical responses)
111. Doretha Murphy, School Nurse
112. Philip Murphy, Teacher
113. Victor Nagueira, Student
114. Melanie Navarro, Executive Admin
115. Carolyn Nelson, Dean, CSU East Bay
116. Ruth Nelson, Teacher
117. Germaine Nesbitt
118. John Northup, Teacher
119. My Phung (Jenny) O, Assistant Professor
120. Glendarice Palacio, Teacher
121. Danielle Patridge, Teacher
122. Matt Parks, Student Advisor
123. John Pickard, Security
124. L. (illegible first name) Polk, HCA
125. Natalie Price, Nutrition Specialist
126. Michael Prutz, Teacher and Department Chair
127. Emmanuel Puyat, Teacher
128. Maria R. (illegible last name), Citizen
129. Thomas Racine, Video Production
130. Mick Radenich, Project Coordinator
131. Betty Ramirez, Teacher
132. Robert Ray, Teacher

133. Ann Rector, Coordinator, Health Programs
134. Jeffrey Reed, Teacher
135. Tom Reed, Teacher
136. Nicole Roberts, Program Consultant
137. Brittney Rodriguez, Teacher
138. Emily Rodriguez, Education Specialist
139. Valerie Rogers, Parent
140. Joseph Romero, Teacher
141. Paul Rosengard, Executive Director, SPARK – San Diego State University
142. Karen Russell, Teacher
143. Clent J. Rutledge, Teacher
144. Steve Sasso, Librarian
145. Melody Sayers, Nutrition Specialist
146. Victoria P. Serna, Registration
147. Maryann Shayegh, Program Manager, Nutrition Education
148. Jennifer Sherwood, Lecturer
149. Marie Silvio, Retired/Mom, Grandma
150. Marina Simone, Teacher
151. Jeff Simons, Professor
152. Cassandra Smith, Program Consultant
153. Darlene Snyder, Teacher
154. Joel Steingold, Adapted Physical Education Teacher
155. Shannon Sweeney, Teacher
156. Eu Nee Tan, Professional Expert
157. Heidi Tatman, Para-Professional Instructional Aide
158. Sascha Taylor-Ray, Teacher
159. Rhysle Theriot, Citizen
160. Rebecca Thomas, Teacher
161. Scott Tom, Student
162. Marian Trapp, Secretary
163. Paul Treesuwan, Teacher
164. Matt Vega, Parent
165. Joanie Verderber, Project Director III
166. Michael Verderber, Student
167. Peter Verderber, Business Owner
168. Jazmin Villapando, Teacher
169. Phillip Vogel, Citizen
170. Leanne Walker, Teacher
171. Gabby Warner, Program Analyst
172. Chris Waters, Teacher
173. George Weggner, Teacher
174. Dale Williams, Teacher
175. B. J. Williston, Trainer
176. Heather Wilson, Program Consultant
177. Mary C. Wolgamot, Resource Specialist
178. Carly Wong, Citizen
179. E. Missy Wright, Assistant Professor
180. Samantha Yee, College Student
181. James U. Yi, Special Education Teacher
182. Vanessa Yingling, Assistant Professor
183. Tracey Zoleta, Nutrition Specialist

Comments from the letters signed by Commenters 1-183 follow:

Comment #1:

The proposed Title 5 Regulations exceed the level of power granted by the Legislature to the Commission on Teacher Credentialing (CTC) as the Legislature has not given the CTC authority to waive the baccalaureate degree requirement for the California Subject Examination Test (CSET) for any academic content area. The Legislature has never equated four years of work experience with the baccalaureate degree.

Response to Comment #1:

There is no Education Code or Title 5 of the California Code of Regulations language requiring an individual to possess a baccalaureate degree in order to take a CSET.

Education Code section 44260.4 pertaining to the issuance of DSSS Teaching Credentials reads:

> *"The minimum requirements for the designated subjects special subjects teaching credential shall be appropriate to the special subject named on the credential, in accordance with the requirements established by the commission. Special subjects instruction may include, but shall not be limited to, driver education and training."*

The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Comment #2:
The CTC has a duty to ensure that credential holders are appropriately assigned. Instead, the CTC is lowering credential requirements for only one of the content areas minimally required for high school graduation: physical education!

Response to Comment #2:
Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

Comment #3:
The commission is attempting to add an academic authorization to a Designated Subjects Special Subjects (DSSS) credential by waiving the baccalaureate degree as a minimum requirement for the CSET.

Response to Comment #3:
Education Code section 44260.4 pertaining to the issuance of DSSS Teaching Credentials reads:

> *"The minimum requirements for the designated subjects special subjects teaching credential shall be appropriate to the special subject named on the credential, in accordance with the requirements established by the commission. Special subjects instruction may include, but shall not be limited to, driver education and training."*

The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Comment #4:
The "Special Teaching Authorization in Physical Education" will allow preliminary DSSS credential holders to teach physical education in ROTC and BMD without possessing the following: 1) a baccalaureate degree, 2) English learner (EL) certification, 3) technology competency, and 4) a subject specific pedagogy course. These omissions result in lower

teacher preparation standards and thus deny students access to qualified teachers in a state-mandated graduation requirement subject.

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Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code 51225.3(b).

Education Code section 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials. The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Although the proposed regulations do not include an EL authorization for the preliminary DSSS Teaching Credential, the proposed regulations do require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] that will result in the addition of a Specially Designed Academic Instruction in English (SDAIE) EL authorization at the time the clear credential is issued [reference subsection (d)(2) in the proposed regulation text].

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Current Education Code and Title 5 of the California Code of Regulations language authorizes the Commission to issue preliminary Single Subject Teaching Credentials without an English learner authorization to teachers credentialed outside California as follows: credentialed in another state – Education Code section 44274.2 and subsections (a)(1) and (b)(1) of Title 5 of the California Code of Regulations section 800413.3 (out-of-state credentialed teachers must earn an EL authorization to qualify for the clear credential); credentialed outside the United States – Education Code section 44275.4 (teachers credentialed outside the United States are <u>not</u> required to earn an EL authorization to qualify for the clear teaching credential).

The proposed regulation amendments require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] to qualify for the clear DSSS Teaching Credential and Standard 11 addresses the uses of technology in the classroom.

LEAs may require an individual to hold a clear DSSS Teaching Credential, confirmation from an approved program sponsor that the holder of a preliminary DSSS credential has completed Standard 11, or passage of the Preliminary Educational Technology Test prior to designating an ROTC or BMD class as eligible for Physical Education graduation credit pursuant to Education Code section 51225.3(b).
A specific subject pedagogy course is one of the requirements to earn a Single Subject Teaching Credential under the provisions of Title 5 of the California Code of Regulations section 80499. The authorization of the proposed Special Teaching Authorization in Physical Education is not equivalent to the authorization of a Single Subject Teaching Credential in Physical Education. The authorization of the proposed Special Teaching Authorization in Physical Education is limited to physical education courses in basic military drill and physical fitness.

Comment #5:
The proposed Title 5 Regulation amendments are not and never were needed. California is a local control state. LEAs have the authority to identify course content for credit given. They need to provide appropriate credentialed teachers for all courses and may do so using a variety of different options by following specified procedures.

Comment #6:
This issue is not about increasing or limiting student choices; it is about upholding the teacher preparation standard across all content areas.

Responses to Comment #5 and #6:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #7:
Confusion exists in the proposed authorization and some students may be denied access to an appropriate education if a local governing board incorrectly assumes that marching and physical fitness training meet all of the state mandated physical education content areas.

Response to Comment #7:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to

exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #8:
The only data provided by the CTC to support the proposed regulations were the listing of nine states that offer a physical education exemption for JROTC participation. Data, posted on the Web site of the Centers for Disease Control and Prevention, indicate that each of these states has a higher obesity prevalence rate than California.

Response to Comment #8:
This comment assumes facts that have not been presented to the Commission. No data has been provided to the Commission to indicate that the direct or indirect cause of the higher obesity prevalence for the nine states is the physical education exemption for JROTC participation.

Comment #9:
Research has been provided to the CTC that more activity time is provided in physical education than in JROTC at the sites observed in the study. (M. Lounsbery et. al., Research Quarterly, in press). The results support the premise that student health is better addressed in physical education than in ROTC or BMD.

Comment #10:
These proposed regulations could have a negative impact on the implementation of local school wellness policies as physical education is an integral part of the wellness policy.

Comment #11:
FITNESSGRAM® scores are highly correlated to achievement scores. (CDE) Quality physical education that focuses on health-related fitness supports both student health and achievement.

Response to Comments #9, #10, and #11:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #12:
Declining enrollment in an elective subject area is not sound educational rationale for submitting a proposal to lower credentialing standards for a mandated subject content area.

Response to Comment #12:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special

Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.
The rulemaking documents include the following statement regarding the benefits of the proposed regulation amendments:

> *"The Commission anticipates that the proposed amendments will benefit the welfare of the students attending public schools in the State of California by creating a Special Teaching Authorization in Physical Education that LEAs may potentially use in conjunction with EC §51225.3 to grant physical education high school graduation credit for basic military drill and physical fitness training courses taught by holders of Designated Subjects Special Subjects Credentials in BMD and ROTC, thereby increasing the students' course options."*

The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. LEAs that choose to grant physical education high school graduation credit for basic military drill and physical fitness training courses taught by the holder of a DSSS credential with the Special Teaching Authorization will provide students with additional course options to satisfy the prescribed physical education high school graduation requirement. Such options may provide the enrollment numbers for continuation of JROTC programs in California public schools.

Comment #13:
The actions of the CTC to develop and move these regulations forward enlarge the scope of the power conferred upon the CTC by the Legislature and fail to follow all of the Administrative Procedures Act Standards and Procedures for the California Title 5 Code of Regulations.

Response to Comment #13:
No specific information explaining how the Commission's actions enlarge the scope of power conferred by the Legislature or how the Commission failed to follow all of the APA Standards and Procedures were provided by the commenters. However, responses to similar issues raised by CAHPERD are provided in the Appendix A-1 to A-8 sections for Commenter #2 in the organizational opposition section.

184. Norayda Avila, S.E.T
185. Barbara Hupp, Adapted Physical Education Teacher
186. Jim Lira, HCA
187. Marjorie McDonald, HCA
188. Zenobia Nickens, SE.T
189. Blanca Sandoval, Sub Teacher
190. Aileen Santos, BII

Letter Signed by Commenters 184-190 includes the same comments as the letters signed by Commenters 1-183 and the additional comments below:

Comment #1: "Do Not!" handwritten in the margin in relation to waiving of the baccalaureate degree requirement.

Comment #7: "Not of the 5 Physical Education Content Standards" handwritten in the margin in relation to marching and physical fitness training.

Comment #11: "Taught to grade level P.E. standards" handwritten in the margin in relation to qualify physical education.
The handwritten comments do not alter the Commission's response to Comments #1, #7, or #11 provided for Commenters 1-183.

Additional Comment:
This should not allow anyone to teach Physical Education for PE credits: including: parents, YM/WCA, yoga (pycho *(sic)* motor) para professional, other agencies or Physical Activity providers. P.E. Teachers must have a Kinesiology degree (BS) and a Teaching Credential!

Response to Additional Comment:
A degree major in Kinesiology or Physical Education is not required for issuance of a Single Subject Teaching Credential in Physical Education. The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

In California, subject matter preparation programs for prospective teachers are not the same as undergraduate degree programs. Post-secondary institutions govern academic programs that lead to the award of degrees. The Commission sets standards for academic programs that lead to the issuance of credentials and a degree may be in a subject other than the one to appear on the credential. Similarly, degree programs for undergraduate students may or may not fulfill the Commission's standards for subject matter preparation.

The DSSS Teaching Credential is a "teaching credential."

The remaining additional comments are dismissed pursuant to Government Code section 11346.9(a)(3) as they are not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments. The Commission does not have purview over high school graduation credit requirements and the proposed regulation amendments are not related to this topic.

191. Javier Acevez, Student
192. Michelle Adanata, Student
193. Kyle Allea, Student
194. Ashley Allen, Student
195. Michelle Arsneault, Professor, CSU Fullerton

196. Arden Au Yeung, Kinesiology
197. Patrick Bain, Student
198. Patricia Bardera, Student
199. Tara Barnhart, Lecturer
200. William Beam, Professor, CSU Fullerton
201. Haleigh Beck, Kinesiology Student
202. Bryan Blanke, Student
203. Alain Bourget, Professor, Mathematics, CSU Fullerton
204. Gulhan Bourget, Professor, Mathematics, CSU Fullerton
205. Gregory C. Brown, Associate Professor
206. Tonya Byron, Subject Area Coordinator
207. Jarrel Call, Student
208. Eric Canin, Faculty
209. Lauren Cardinala, Student
210. Christina Carroll-Pavia, Training Coordinator, Mom
211. Nicole Castro, Kinesiology Student
212. Cherie I. Chinose, Assistant Professor
213. Grace Cho, Professor/Department Chair
214. Diana Chung, Student
215. Victoria Costa, Professor EDSC
216. Amy Cox-Petersen, Professor EDEL
217. John Devine, Attorney
218. Kay E. Devine, Lecturer, CSU Fullerton
219. Helene Domon, Professor, French
220. Jason Duong, Kinesiology Student
221. Pamela Fiber-Ostrow, Professor, CSU Fullerton
222. Brittany Fitzwater, Student
223. William A. Floratos, Attorney
224. Averie Foster, Student
225. Jonathan Fuller, Kinesiology Student
226. Juan Carlos Gallego, Professor of TESOL
227. Emily Garcia, Student
228. Nicolette Garcia, Kinesiology
229. Susan Glassett Farrelly, Lecturer
230. Shirley Ha, Kinesiology Student
231. Robbie Hannon, Student
232. Erica Harrison, Citizen
233. Will Harrison, Student
234. Mahamood Hassan, Professor
235. Nick Hennig, Assistant Professor, CSU Fullerton
236. Adriana Hernandez, Citizen
237. Zulema Hernandez, College Student
238. Mary Herrera, CFA-Office Manager
239. Christine P. Heusser, Lecturer, Supervisor-Student Teachers, CSU Fullerton
240. Elizabeth Holster, Associate Professor, CSU Fullerton
241. Carolyn Houston, Instructor
242. Illegible Name
243. Travis Jacalone, Student
244. Kristi Johnston, Student
245. Cody Kemp, Student
246. Shanelle Keenan, Kinesiology Student
247. Ket, Kinesiology Student
248. Margaret L. Kidd, Associate Professor, CSU Fullerton
249. Kevin Lam, Student
250. Richard Lam, Kinesiology Student
251. Lisa Larson, Student
252. Marilyn Leuer, Lecturer
253. Antoinette S. Linton, Assistant Professor
254. John D. Liverpool, Learning Disability/Mental Health Specialist
255. Matthew P. Llewellyn, Assistant Professor, CSU Fullerton
256. Robert Loll, Attorney
257. Leleua Loupe, Professor Lecturer
258. Jarret Lovell, Professor, CJ
259. Andrew Luzi, Professor, Business
260. Stacy Mallicoat, Professor, CJ
261. Charles Marchese, Union REP
262. Bonnie Marsey, Lecturer, CSU Fullerton
263. Jonathan Marshall, Student
264. Cindy Martinez, Counselor
265. Raeleen Martinez, Student
266. Solomon Massin II, Case Manager, Counselor
267. Brandon Maurer, Student
268. Michelle McClure, Citizen

269. Kristy McCrossan, Credential Analyst
270. Sarah McDonnell, Student
271. Tyler McMillen, Professor, Mathematics, CSU Fullerton
272. Alexandrea Medina, Kinesiology Student
273. Amanda Meneses, Kinesiology Student
274. Valerie Minchala, Psychologist
275. Theodore Moehike, Kinesiology Student
276. Holly Mooring, Student
277. Alan Nestlinger, Professor, Mathematics, CSU Fullerton
278. Alex Ostrowski, Kinesiology Student, Athlete
279. Chelsey Patterson, Student
280. Brandon Pham, Student
281. Alexandria Powell, Kinesiology Student
282. Ken Prachya, Student
283. Nawang Puntsog, Faculty
284. Elana R. (illegible last name), Citizen
285. Lizette Rayela, Student
286. Gil Real, Student
287. Courtney Richardson, Citizen
288. Luis Rojas, Criminal Justice Student
289. Alyssa Santiago, Communications Student
290. Krista Shand, Social Studies
291. Joy Shiba, Student
292. Dennis Siebender, Music Education Professor
293. Sarah Strickland, Parent
294. Fiona Swartz, Student
295. Jamie Tan, PT Aide
296. Kavin Tsang, Assistant Professor, CSU Fullerton
297. Kaylee Ullom, Student
298. Veronica Uribe, Kinesiology Student
299. Ana Valdovinos, Student
300. Mick Varkutzas, Student
301. Viviana Vazquez, Student
302. Alex Velarde, Student
303. Lucia Ventura, Student
304. Francisco Villarreal II, Student
305. Keith Wanser, Professor
306. Jessica Waters, Kinesiology Student
307. Casey Watkins, Kinesiology Student
308. Kathy Webster, Academic Advisor Coordinator, CSU Fullerton
309. Lenny Wiersma, Professor, CSU Fullerton
310. Lauren Wilson, Citizen
311. Shelli Wynants, Lecturer, CSU Fullerton
312. Chris Yao, Student
313. Cheryl Zimmerman, Professor, CSU Fullerton

Letters Signed by Commenters 191-313 include Comments #1, #2, #3, #4, #9, #10, #11, #12, and #13 from the letters signed by Commenters 1-183

314. Maria A. (illegible last name), Parent
315. Kevin Abrantes, Student
316. Yunier Alfonso Acosta, Parent
317. Amy Adams, Student/EMT/Citizen
318. Jacqueline Aguayo, Citizen
319. Jesus Aguilar, Citizen
320. Redher Ahn, Parent
321. Ivan Alba, Coach
322. Cele Alcantar, Citizen
323. Amy Almary, Parent
324. Mark Alog, Student
325. Alex Alvarez, Student
326. Amand, Parent
327. Graciela Amaya, Citizen
328. Leonela Anaj, Student
329. Scott Anderson, Teacher
330. Camille Apin, Student
331. Julie Applegate, Parent
332. Arden Au Yeung, Citizen
333. Tina Bae, Teacher
334. Brooke Baker, Parent
335. Randie, Baldwin, Teacher
336. Nathalie Baljian, Parent
337. Josh Barresch, Student
338. Sam Barrios, Student
339. Jaqueline Barry, Teacher
340. Caroline Bass, Parent
341. Alyssa Batilaran, Student

342. Prisilla Bautista, Citizen
343. Nick Berrenuto, Citizen
344. Robert Bickham, Plant Manager
345. Judd Binitry, Teacher
346. Ashley Booker, Parent
347. Gabriel Borrego, Citizen
348. Tyler Boyle, Citizen
349. Michelle Brekke, Parent
350. Kevin Brock, Parent
351. Sabrina Brock, Parent
352. Emily Bronson, Parent
353. Jessica Bynum, Citizen
354. Laura Calderon, Sernior Office Technician
355. Alex Carous, Student
356. Adel Castillo, Parent
357. Jesus Castillo, Citizen
358. Sandra Castro, Citizen
359. Amber Caul, Parent
360. Cecille, Parent
361. Nicole Chancelor, Citizen
362. Mischa Chang, Student
363. Christina Chen, Teacher
364. Lydia Chen, Parent
365. Nancy Chen, Parent
366. Joseph Chun, Parent
367. Sharon Chung, Parent
368. Allissa Cole, Citizen
369. Meghan Cole, Student
370. Rebecca Creekpaum, Citizen
371. Melissa Cuevas, Parent and PTA President
372. Ann Daner, Parent
373. David Daner, Parent
374. Michelle Dean, Parent
375. Mark DeFranco, Student/Citizen
376. Abram DeLaVega, Teacher
377. Malorie Detlefsen, Citizen
378. Lea Camille Domingo, Student
379. Irene Eason, Teacher
380. Taran Eckel, Student
381. A. H. Ehrgood, Former Physical Education Teacher/ROTC Participant
382. Briana Enbody, Parent
383. Ignacio Espinoza, Citizen
384. Jaclyn Ferrel, Teacher
385. Kevin Feuzel, Student
386. Liza Fleitas, Parent
387. Harina Fotz, Parent
388. Coni France, Citizen
389. Gurjit Garcha, Parent
390. Spihlo Garcha, Parent
391. Bessie Gaul, Parent
392. Brian Gilder, Parent
393. Lisa Gilder, Parent
394. Flor Gonzalez, Citizen
395. Jeffrey Garcia, Citizen
396. Kaylee Gracs, Health Tech
397. David Gross, Student
398. Katie Guerra, Teacher
399. Joy Harder, Registered Nurse
400. Melissa Harp, Teacher
401. Shayan Hemmati, Citizen
402. Isabella Hernandez, Student/Citizen
403. Janet Hernandez, Citizen
404. J.W. Hollestelle, Parent
405. Kevin Holmes, Citizen
406. Dennis Hoppal, Physical Education, LAUSD
407. M. (illegible first name) Hormozian
408. Daniel Hurtado, Citizen
409. James Ibon, Parent
410. Susan Ibon, Parent
411. Illegible Name, Parent
412. Allen Inagato, Student
413. TE Jinder, Parent
414. Laura Jo, Parent
415. Marcella Juarez, Student
416. Brandon Julian, Coach
417. Sarah Jung, Teacher
418. Diane Kazandraff, Parent
419. Celine Kim, Parent
420. Don Kim, U.S. Citizen, Teacher, Parent
421. Eun Y. Kim, Parent
422. Salngmee Kim, Parent
423. Shi Kim, Parent
424. Tae Kim, Parent
425. Yun Kim, Parent
426. Nicole Kirshner, Citizen
427. George Keoshkarian, Parent
428. Lizette Keoshkarian, Staff, Parent
429. Kyoung Lee Koo, Parent
430. P. Laguna, Professor, Department of Kinesiology, CSU Fullerton

431. Alice Lee, Parent
432. Eun K. Lee, Parent
433. J. Yeon Lee, Parent
434. Kristianna Lee, Parent
435. Jordan Levine, Citizen
436. Madison Lim, Citizen
437. Carlos Limon, Teacher
438. Beatriz Llerenas
439. Joseph Lowes, Student
440. Josh Manning, Student
441. Josh Markgraf, Parent
442. Kelly Markgraf, Parent
443. Chris Martin, Student
444. Evan Martinez, Student
445. Julio Martinez, Student
446. Lisa Martinez, U.S. Citizen, Teacher, Parent
447. Mario Martinez, Coach/Teacher
448. Anthony Matassa, Parent
449. Kristi Matassa, Parent
450. Nick Matson, Student
451. Jana McAdams, Teacher
452. Haley McCauley, Student
453. Donna McCombs, Parent
454. Morgan McCornish, Student
455. Laurel McDermott, Teacher
456. Jeaneth Medrans, Student
457. Priscilla Melgor, Citizen
458. Mary Melvin, Principal
459. Rodrigo, Meza, Citizen
460. Thornan Moody, Parent
461. Arturo Moreno, Teacher
462. Amanda Moros, Physical Educator
463. M. (illegible first name) Moros, Preschool Teacher
464. Jabari Morris, Student
465. Brittany Motodani, U.S. Citizen, Student Teacher
466. Robert C. Nahl, Parent/Teacher
467. Brandon Ngo, Student
468. Brian Nguyen, Teacher
469. Huy Nguyen, Citizen
470. Minh Nguyen, Student
471. Bruce Nishihora, Citizen
472. Kathryn Nunan, District Administrator
473. Esther Oh, Parent
474. Kristen Okura, Teacher
475. Jordan Orosco, Student
476. Roy P. (illegible last name), Parent
477. W. P. (illegible last name), Parent
478. Soonie Paik, Citizen
479. Omar Palomino, Citizen
480. Mindy Park, Coordinator
481. Peter Park, Parent
482. Debra Patterson, Professor, Physical Education, CSU Fullerton
483. Donna Patterson, Admin Assistant
484. Holly Patterson, Marketing Director
485. Marc Patterson, Parent
486. Rebecca Patterson, Citizen
487. Renee Patterson, Parent
488. Robert Patterson, Parent
489. Blanca Perez, Student
490. Julie Peterson, Citizen
491. Keller Pickett, Student
492. Ana Pineda, Citizen
493. Alexandria Powell, Student
494. Sherri Preston, Student Teacher
495. Kirsten Preziosi, Citizen
496. Niki Primo, Citizen
497. Margarita Pulido, Teacher
498. Penny Pun, Parent
499. Sumi Reeves, Parent
500. Karla Reyes, Parent
501. Joe Rice, Parent
502. Kelli Rice, Parent
503. Nicole Rivera, Citizen
504. Nathaniel Romero, Student
505. Sara Roof, Student Teacher
506. Tim Rubalcaba, Citizen
507. Joshua Ruby, Teacher
508. S. (illegible name), Parent
509. S. (illegible name), Parent
510. David S. (illegible last name), Parent
511. Leticia Saavedra, Citizen
512. Maria Saavedra, Citizen
513. Sabrina Sahanga, Room Parent
514. Alexa Salmon, Student
515. Anthony Santos, Citizen
516. Ryan Sare, Student
517. Nicole Schiff, Parent, Special Education Assistant (signed two separate but identical responses)
518. Geetiha Sehi, Parent
519. Graham Seigler, Student

520. Summer Shami, Parent Volunteer
521. Wendy Shen, Parent
522. A. (illegible first name) Siegel, Parent
523. Diedra Shumate, Teacher
524. V. Siegel, Parent
525. Brian Simrak, Citizen
526. Agnes Siutce, Parent
527. Walter Soriano, Parent
528. Claudia Sosa, Staff
529. Stephanie, Parent
530. Leroy Stuart, Grandparent
531. Esther Swanston, Parent
532. J. T. (illegible last name), Parent
533. Timothy T. (illegible last name), Citizen
534. Wilson T. (illegible last name), Citizen
535. Moira Talan, Teacher
536. Taylor Tebay, Citizen
537. Caroline Tedore, staff
538. Rachel Tobias, Student
539. Francesca Tomtiker, Parent
540. Kaylee U. (illegible last name), student
541. K. (illegible first name) Varenelan
542. Ricardo Vanneta, Student
543. Kiran Vaswan, Parent
544. Ana Vazquez, Teacher
545. Pablo Veigel, Parent
546. Sandra Veigel, Parent
547. Darlene Villeda, Senior Office Technician
548. Lam Vu, Coach
549. Norma Waldman, Parent
550. Meghan Wamsley, Teacher
551. Rose Wang, Parent
552. Chuck Waterman, Teacher
553. Emily Waters, Citizen
554. Lindsey Weststeyn, Student
555. Missy Whardo, Teacher
556. Steven Widmer, Citizen
557. Terrence Williams, Teacher Assistant
558. Trisha Witwit, Parent
559. Sara Yamashita, Student
560. Regina Yang, Teacher
561. Mienah Yoon, Parent
562. Annie Yun, Parent
563. Josue Zamora, Teacher

Letters Signed by Commenters 314-563 include Comments #1, #2, #3, #4, and #9 from the letters signed by Commenters 1-183

564. Christian Alvarez, Citizen
565. Ed Bahke, Teacher
566. Rakesh Bhatt, Teacher
567. Anthony Dahl, Teacher
568. Lisa Gadwood, Teacher
569. Chord Hicks, Student Teacher
570. Ken Hyatt, Teacher
571. Kurt Krueger, Teacher, Parent, and Citizen
572. Jason Mikels, Teacher
573. Pete Salehyar, Teacher

Letters Signed by Commenters 564-573 include Comments #1, #2, #4, #6, #8, #9, #10, and #11 from the letters signed by Commenters 1-183 with the following additional comments:

Comment #8 is prefaced by "**Obesity is a huge problem in America.**"

The additional comment above does not alter the Commission's response to Comment #8 provided for Commenters 1-183.

Additional Comment:
It is upsetting that the actions of the CTC to develop and move these regulations forward enlarge the scope of power conferred upon the CTC by the Legislature and fail to follow all of the Administrative Procedures Act Standards and Procedures for the California Title 5 Code of Regulations.

Response to Additional Comment:
No specific information explaining how the Commission's actions enlarge the scope of power conferred by the Legislature or how the Commission failed to follow all of the APA Standards and Procedures were provided by the commenters. However, responses to similar issues raised by CAHPERD are provided in the Appendix A-1 to A-8 sections for Commenter #2 in the organizational opposition section.

574. Christine Galvan, Professor
575. Grant Hill, Professor
576. Barry Lavay, Professor
577. Hylin Neese, Lecturer
578. Lori Reich, Lecturer
579. Emyr Williams, Professor, Physical Education Teacher, CSU Long Beach

Letters Signed by Commenters 574-579 include Comments #2, #3 (with the substitution of "considering" for "attempting"), #6, #9, #10, #11, #12, and #13 from the letters signed by Commenters 1-183 and the additional comments below:

Additional Comment #1:
Effective teachers of physical education have strong undergraduate foundations in biological physical sciences, motor learning, biomechanics, exercise physiology, and teacher education. This proposal does not require that holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps even have an undergraduate degree.

Response to Additional Comment #1:
A degree major in Kinesiology or Physical Education is not required for issuance of a Single Subject Teaching Credential in Physical Education. The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

In California, subject matter preparation programs for prospective teachers are not the same as undergraduate degree programs. Post-secondary institutions govern academic programs that lead to the award of degrees. The Commission sets standards for academic programs that lead to the issuance of credentials and a degree may be in a subject other than the one to appear on the credential. Similarly, degree programs for undergraduate students may or may not fulfill the Commission's standards for subject matter preparation.

Education Code section 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials. The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Additional Comment #2:
The Physical Education Content Standards for California Public Schools, K-12 affirm that participation in physical activity is not the same as physical education. JROTC has different goals and outcomes than physical education and is focused on participation in

physical activity rather than learning the specific content of physical education. With reference to the article under review "Using SOFIT to Compare High School Physical Education and JROTC" by Lounsbery, Holt, Mckenzie and Monnat, the empirical evidence suggests that

- *"JROTC and PE provide substantially different content, contexts, and opportunities for student to be physically active, learn movement skills, and become physically fit."*

The time allocation for physical active involvement in classes differs significantly between the PE and JROTC groups. PE taught classes allocate significantly more time for physical fitness and active skill/game play. JROTC taught classes allocate more time to drill, inspections and military history.

Response to Additional Comment #2:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for Physical Education high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Additional Comment #3:
Approving the physical education authorization would in essence, give CTC's "blessing" for a blended course that cannot be delivered with fidelity. **The content and learning outcomes for physical education and JROTC are not the same.**

Response to Additional Comment #3:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

580. Alex G. Aragon, Adapted Physical Education Teacher
581. Chris Bryan, Teacher
582. Shirley Cavasos, Adapted Physical Education Teacher
583. Sierra Cavasos, Student
584. Cindi Chase, Adapted Physical Education Specialist
585. Aaron Cyr, Physical Education Teacher
586. Lynne Lee, Adapted Physical Education

587. David Mark, Physical Education Teacher
588. Matt K. Miller, Adapted Physical Education, Physical Education
589. Denny Palmer, Teacher
590. Bob Pickett, Teacher
591. Derrick Texdahl, Teacher
592. Lee Torres, Teacher
593. Sue Usedom, Teacher
594. Lesa Vanderbeck, Coordinator in Special Education

Letters Signed by Commenters 580-594 include Comments #1, #2, and #7 from the letters signed by Commenters 1-183

595. Patrick Cleary, Physical Education Teacher
596. Kristina Henges, Adapted Physical Education Teacher
597. Monica (illegible last name), Adapted Physical Education Teacher
598. Jeff Newkirk, Physical Education Teacher
599. John VanBuren, Physical Education Teacher

Letter Signed by Commenters 595-599 includes Comments #1, #2, #4, #6, #7, #8, #9, #10, #11, #12, and #13 from the letters signed by Commenters 1-183

600. Bradley Armstrong, Teacher and Parent
601. Lynn Armstrong, Citizen

Letter Signed by Commenters 600-601 includes Comments #1, #2, #3, #4, #8, #9, and #10 from the letters signed by Commenters 1-183

602. Karen Kadlec, Confidential/Administrative Secretary

Letter Signed by Commenter 602 includes Comments #1, #2, #3, and #4 from the letters signed by Commenters 1-183

603. Laura Arnoldini

Letter Signed by Commenter 603 includes Comments #4 and #9 from the letters signed by Commenters 1-183

604. Judith Brooks, Physical Education/Dance Teacher

Letter Signed by Commenter 604 includes Comments #2, #3, #4, and #13 from the letters signed by Commenters 1-183

605. Kevin Slanson, Physical Education Teacher
606. Karen Spedowfski, Parent

Letter Signed by Commenters 605 and 606 includes Comments #2 and #7 from the letters signed by Commenters 1-183

607. Cindy Aller, Unite Teachers of Los Angeles
608. Jose Alvarez
609. Justin Amos, Physical Education Teacher
610. Joe Arroyo, Physical Education
611. Robert Bautista, Roybal Learning Center
612. LaSondra Beck, Physical Education Teacher
613. Debbie Bonilla, Unite Teachers of Los Angeles
614. Robin Cardona, Physical Education
615. Mer-Mer Chen, Physical Education Teacher

616. Ana Chow, Unite Teachers of Los Angeles
617. Maribel Cortez, Physical Education
618. Sharon De la Rosa, Unite Teachers of Los Angeles
619. Levent S. Doswell
620. Chad Fenwick, Unite Teachers of Los Angeles
621. Paul Foxson, Physical Education Teacher
622. Sergio Galvez, Physical Education
623. Dinah Gentry, La Academy MS LAUSD
624. Daniel Gonzales, Physical Education Teacher
625. Rick J. Goodaker
626. Lorenzo Hernandez, Physical Education Teacher
627. Monica Hernandez, Physical Education Teacher
628. Gina Holmes, John Muir Middle School
629. Eric Jaimes, Franklin High School
630. Leslie S. Kestin, Physical Education
631. Randy Kirby, Physical Education Teacher
632. Michael Kline, Physical Education Teacher
633. Rose Kwok, Physical Education Teacher
634. Jerry Lafolette, Physical Education Teacher
635. Rae B. Law, Roybal Learning Center
636. Jared Lehenbauer, La Academy MS LAUSD
637. Oscar Letona, Civitas Sol
638. Imelda Mazas, Physical Education Teacher, Roybal Learning Center
639. Julio Mendoza, Unite Teachers of Los Angeles
640. Margaret Moss, Unite Teachers of Los Angeles
641. Holli J. Omori
642. Beverlie Pendleton, Physical Educator (former) and Assistant Principal
643. Catherine Perez, Physical Education Teacher
644. David Rivero, La Academy MS LAUSD
645. Michael Sakurai, Physical Education Teacher
646. Robert E. Schatz, Physical Education
647. Tracy Stevenson, La Academy MS LAUSD
648. Jessica I. Torres, Physical Education Department Chair
649. Ruben Torres, Physical Education Teacher
650. Rosa Velasquez, Physical Education Teacher
651. Candice Villagran, Adapted Physical Education
652. Kacy Walker, Physical Education Teacher
653. Camela Werner, Physical Education Teacher
654. Terry A. With, Physical Education Teacher
655. Tim Yang, Teacher, Los Angeles Unified School District

Comments from the letters signed by Commenters 607-655 follow:

Comment #1:

Physical education is a right and a necessity, according to the California legislature, the California Court of Appeal, and the people. Public school students are entitled to physical education taught by a credentialed and qualified physical education teacher to promote academic performance and health. This Honorable Commission should not water down physical education requirements through special teaching authorization for basic military drill (BMD) and junior reserve officer training corps (JROTC). The Commission already voted rejected the JROTC teaching credential as a substitute for a physical education teaching credential on Feb 14, 2014, and should not go back on that decision.

Response to #1:
Title 5 of the California Code of Regulations section 10060 establishes the criteria for appraising the quality of physical education programs in senior or four-year high schools that California schools districts must follow. This Title 5 section does not fall under the purview of the Commission; however, the Special Teaching Authorization in Physical Education will not affect a school district's procedures when appraising the quality of physical education programs.

Comment #2:
Students Are Entitled to Quality Physical Education, Not BMD and JROTC
BMD and JROTC cannot receive physical education credit if teachers and classes do not meet physical education requirements, including teacher credentials. The Education Code specifies the requirements for single subject physical education teachers. 1 The proposed special teaching authorization for BMD and JROTC does not satisfy the Education Code requirement for credentialed, quality physical education teachers.

Response to Comment #2:
Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Comment #3:
The legislature through the California state education code requires physical education in K-12. The California Court of Appeal held the law means what it says when it requires physical education, and parents and students can enforce that law in course. 2 The people of California overwhelmingly favor physical education in schools as the single most important policy for obesity prevention, across most party and socioeconomic lines. 89% support physical education for four years in high school, according to a 2011 Field poll.

Response to Comment #3:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #4:
Evidence shows physical education promotes health and student development, and reduces obesity; provides life-long skills for healthy physical activity; and does not interfere with (and may improve) academic performance, retention, and graduation rates.

Comment #5:
The Institute of Medicine recommends improving teacher education, ensuing physical education minutes, monitoring compliance, addressing disparities, making physical education a core subject, and addressing physical activity in the whole school environment. The proposed special teaching authorization for BMD and JROTC does not satisfy the Education Code requirement for credentialed, quality physical education teachers.

Response to Comments #4 and #5:
Title 5 of the California Code of Regulations section 10060 establishes the criteria for appraising the quality of physical education programs in senior or four-year high schools that California schools districts must follow. This Title 5 section does not fall under the purview of the Commission; however, the Special Teaching Authorization in Physical Education will not affect a school district's procedures when appraising the quality of physical education programs.

Comment #6:
The passing of this amendment would drastically lesson *(sic)* the quality of instruction not raise it as stated in the last meeting by some members of the JROTC and Ms. Dugan *(sic)*. If you truly want a better standard of instruction for our students leave the requirements they *(sic)* way that legislation, educators and parents wish it to be.

Comment #7:
The passing of this amendment would only be a politically motivated action not for the higher standards of instruction in physical education.

Response to Comments #6 and #7:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #8:
The notion the JROTC could only teach JROTC physical education not real physical education is also a misrepresentation of what will happen. First of all what does that mean?

JROTC physical education does not have to teach the Title 5 content identified in the education code that each student must be evaluated on to graduate. This means that JROTC could teach physical education as an elective class as it should be and not for the two years required to graduate. This alone is going to cause confusion.

Response to Comment #8:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7) and holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will only authorize the holder to teach physical education courses in basic military drill and physical fitness training offered within BMD and/or ROTC courses. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision.

Comment #9:
Conclusion
For the reasons stated in and under the authorities cited above, the Commission should reject the proposed special teaching authorization in physical education for BMD and JROTC.

Response to Comment #9:
The decision to restore the proposed language pertaining to the Special Teaching Authorization in Physical Education will be considered by the Commission at the June 2014 meeting.

656. Nick Kaprelian
Letter signed by Commenter 656 includes Comments #1, #2, #3, #5, #6, and #9 from the letters signed by Commenters 607-655

657. Denise Barber, Teaching PE since 1976
Letter signed by Commenter 657 includes the same comments as the letters signed by Commenters 607-655 and the additional comment below:
Why don't you just get a bum off the street to teach our students. No one needs to be qualified to do anything! And it shows.

Response to the additional comment:
The comment is dismissed pursuant to Government Code section 11346.9(a)(3) as it is not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments.

658. Adriana Valenzuela, Parent and Teacher
Letter signed by Commenter 658 includes the same comments as the letters signed by Commenters 607-655 and the additional comment below:
In summary, this authorization should <u>not</u> be approved because it: 1) will lower California teaching standards, 2) was conceived without engagement and input of all key stakeholders, 3) will create problems for LEAs providing mandated physical content, 4)

will undermine program monitoring efforts by the California Department of Education, 5) it will significantly deny students a free and appropriate public education as students may not receive instruction in all of the mandated physical education content areas thus impacting their health and well- being.

Responses to additional comments:
Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision.

Government Code section 11346.45(a) reads:

> *"In order to increase public participation and improve the quality of regulations, state agencies proposing to adopt regulations shall, prior to publication of the notice required by Section 11346.5, involve parties who would be subject to the proposed regulations in public discussions regarding those proposed regulations, when the proposed regulations involve complex proposals or a large number of proposals that cannot easily be reviewed during the comment period."*

The proposed amendments to Title 5 of the California Code of Regulations section 80037 do not "involve complex proposals or a large number of proposals that cannot easily be reviewed during the comment period." The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

The proposed Special Teaching Authorization in Physical Education will not affect the California DE's monitoring efforts.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7) and holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will only authorize the holder to teach physical education courses

in basic military drill and physical fitness training offered within BMD and/or ROTC courses. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision.

659. Kelly A. Dumke
660. Jocelyn M. Estiandan, Resident of Cerritos
661. Uyen T. Ngo, Resident of Los Angeles
662. Grace T. Tan, Resident of Los Angeles

Letters signed by Commenters 659-662 include the same comments as provided in Comments #2 (without "Members find" at the beginning), #3, #4, and #5 of the CAHPERD letter from Ms. Deckard, minus Appendix A (see Commenter #2 in the organizational opposition section), Comments #1, #3, #4, #5, #10, and #11 from the letters signed by Commenters 1-183, and the following additional comments:

Additional Comment #1:
This letter serves as opposition to the April 10, 2014 commission decision to restore proposed Title 5 California Code of Regulations (5 CCR §80037) language, stricken on February 14, 2014, for a Special Teaching Authorization in Physical Education (PE), Designated Subjects Special Subjects (DSSS) in Reserve Officers Training Corps (ROTC) and Basic Military Drill (BMD).

Additional Comment #2:
As a resident of Los Angles, California, I am concerned for the future of student health and quality education. I strongly encourage each commission to **fulfill their mandated regulatory duty and to vote "no"** on the proposed Title 5 Regulations for Special Teaching Authorization in Physical Education (PE), Designated Subjects Special Subjects (DSSS) in Reserve Officers Training Corps (ROTC) and Basic Military Drill (BMD).

Response to Additional Comments #1 and #2:
The decision to restore the proposed language pertaining to the Special Teaching Authorization in Physical Education will be considered by the Commission at the June 2014 meeting.

663. Evelyn A. (illegible last name)
664. Miguel E. Alvarez
665. Dennis Arce
666. Daniel Barnhart
667. Peter Barot
668. Alex Benn
669. Michael Blasi
670. Robin Brow
671. Regina Bryant
672. R. Camacho
673. Laura Carls
674. Daniel Chattono
675. T. Chen
676. Patricia Churchill
677. H. Clarke
678. Roxanne Correa
679. MC Curtis
680. Richard D. (illegible last name)
681. David (illegible last name)
682. O. Eitel
683. David Feldman
684. Carson Fenwick
685. Marco Flores
686. Mike Fuoroll
687. Yelena Gimpelman
688. Jeffrey Goldson

689. Mike Gonzales
690. Ingrid Gunnell
691. Patricia Hale
692. Sydney Hilley
693. S. Holbrook
694. Melanie House
695. Angelica Huezo
696. Stephen I. (illegible last name)
697. Illegible Name
698. Illegible Name
699. Illegible Name
700. Illegible Name
701. Illegible Name
702. Phil J. (illegible last name)
703. Marisa Jacoy
704. D. Jocson
705. J. Jordan
706. Matthew K. (illegible last name)
707. Philip Kahn
708. Warren Kawakami
709. Sandy Keaton
710. Keli Koppel
711. Bradley Kraeft
712. Keith D. Kramer
713. John Kruse
714. Rose Kwok
715. Arthur L. (illegible last name)
716. Fernanda B. Ledesma
717. Brett Lewis
718. John Linch
719. Teresa Lopez
720. Stuart Lutz
721. Martha (illegible last name)
722. Benny Madera
723. Peter Martin
724. Clare Martinet
725. Maria Molina
726. Shulamite Molina
727. Nancy (illegible last name)
728. Alex P. (illegible last name)
729. Carole Petersen
730. Jenn Peterson
731. Robin Potash
732. Martin Price
733. Kennon B. Raines
734. Fern Ray
735. D. Rebollero
736. Jennifer Rose
737. Cathy S. (illegible last name)
738. Deborah Schneider
739. Elgin Scott
740. Steve Seal
741. Subiv Shome
742. Shoshana Taelz
743. A. Tamayo
744. Scott Taye
745. Dawit Tegegne
746. R. Teteya
747. Zulma Tobar
748. Charles Tripp
749. Jennifer Villaryo
750. Kathleen Wakefield
751. Max Waschedul
752. Roger Wilson
753. Mae Wood
754. Gregg Yasukochi
755. Sydney Yarbrough

Comments from Commenters 663-755:

We the undersigned oppose the Proposed Amendments to Title 5 of the California Code of Regulations that waives JROTC and basic military drill from the PE credentialing requirement. School districts will continue to have local control autonomy to give PE credit.

Response:

Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have

satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

756. Michael Benavidez
757. Patrick Merrill, Adapted Physical Education
758. Jaime Oseguera
759. Ernesto Serratos

Comments from Commenters 756-759:

This letters (sic) serves as **opposition** from a physical education professional and life-time teacher to the April 10, 2014 commission decision to restore proposed Title 5 California Code of Regulations (5 CCR §80037) language, stricken on February 14, 2014, for a Special Teaching Authorization in Physical Education (PE), Designated Subjects Special Subjects (DSSS) in Reserve Officers Training Corps (ROTC) and Basic Military Drill (BMD).

CAHPERD members also encourage each commissioner to **fulfill their mandated regulatory duty and to vote "no"** on the proposed Title 5 Regulations for Special Teaching Authorization in Physical Education (PE), Designated Subjects Special Subjects (DSSS) in Reserve Officers Training Corps (ROTC) and Basic Military Drill (BMD).

Response:
The decision to restore the proposed language pertaining to the Special Teaching Authorization in Physical Education will be discussed by the Commission at the June 2014 meeting.

760. Eliseo Cuelh, Principal
761. Brad Fontes, Teacher
762. Karen Fontes, Physical Education Teacher
763. Rayshawn Hightower, Teacher
764. Wayne Koligian, Citrus
765. Sharon Perkins, Teacher
766. Pamela Reya, Athletic Director
767. Michael Ross, Physical Education Teacher
768. Lori Vanek, Physical Education Teacher

Comments from Commenters 760-768:

I am writing to voice my concerns about the regulatory action scheduled for consideration on February 14, 2014 by the Commission on Teacher Credentialing. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:

Comment #1:
The Physical Education Content Standards for California Public School, K-12 affirm that participation in physical activity is not the same as education. JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education.

Comment #2:
Approving the physical education authorization would in essence, give CTC's "blessing" for a blended course that cannot be delivered with fidelity. The content and learning

outcomes for physical education and JROTC are not the same. Sufficient time must be devoted to the learning process for students to learn the content of physical education.

Response to Comments #1 and #2:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #3:
Physical education is a science based academic discipline. Effective teachers of physical education have strong undergraduate foundations in biological and physical sciences. This proposal does not require that foundation for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

Comment #4:
The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential.

Response to Comments #3 and #4:
A degree major in Kinesiology or Physical Education is not required for issuance of a Single Subject Teaching Credential in Physical Education. The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

In California, subject matter preparation programs for prospective teachers are not the same as undergraduate degree programs. Post-secondary institutions govern academic programs that lead to the award of degrees. The Commission sets standards for academic programs that lead to the issuance of credentials and a degree may be in a subject other than the one to appear on the credential. Similarly, degree programs for undergraduate students may or may not fulfill the Commission's standards for subject matter preparation.

The proposed requirements for the Special Teaching Authorization in Physical Education are possession of a DSSS Teaching Credential in BMD or ROTC, satisfaction of the basic skills requirement, <u>and</u> verification of subject matter knowledge in Physical Education by passing the CSET for Physical Education or by completing a Commission-approved subject matter program in Physical Education.

769. Candie Chavez, Student
770. Javier Chavez, Parent
771. Isabella Chavez, Student
772. Jennifer Cobb, Barista
773. Riley Fox, Student
774. Christina Garcia, Parent
775. Dale Herzog, Citizen
776. Dovey Herzog, Parent
777. Joseph E. Herzog, Neuro Kinesiologist/Lecturer
778. Mike Jarman, Citizen
779. Bob Lemlsy, Retirement Specialist
780. Erin Macky, Citizen
781. Rachel McQuone, Citizen
782. Scott Mooneyham, Physical Therapist
783. Letty Perez, Student
784. Elsa Rose, Parent
785. Beverly Tilly, Citizen
786. Dean Tilly, Citizen

Comments from Commenters 769-786:

As an educator of nearly 50 years, I wish to express my profound disagreement with the proposed modification which would all *(sic)* Physical Education to be taught by JROTC instructors. This modification would allow JROTC instructors WITHOUT a teaching credential to teach an Ed. Code mandated discipline, in violation of the State Ed. Code. Standards for Physical Education and JROTC are fundamentally at opposite ends of the educational spectrum. The Curriculum for Physical Education is broad based, active lifestyle, health and nutrition directed. JROTC has little time or interest in that level of diversity and focuses solely on physical fitness, which comprises less than 20% of Physical Education curricula. The modest amount of Physical Education training, which would be required of JROTC is wholly inadequate. The proposed modification puts the personal safety of students at risk and opens the very real possibility of multiple legal actions.

There is, in short, no ethical or otherwise justifiable for the modification, which would allow JROTC instructors to deliver instruction in Physical Education. The modification would virtually guarantee a serious decline in the quality of instruction in Physical Education. It would likely deny students access to the whole of the curricula to which they are legally entitled. The proposed modification violates EC 51225.3(b).

You must be cognizant of the fact that the reality of this modification is to reduce the quality of instruction in Physical Education and that it will put student personal, social and emotional safety at risk.

The delivering of instruction in Physical Education must be left to those educators who are personally and wholly committed to the students receiving such instruction. It must be left to those who have been rightly and properly educated in both the curriculum and the proper means of delivering such. To do ANY less is unethical, and the result would be to leave instructors, LEA's and the State of California in legal limbo.

I urge you in the strongest possible terms NOT to approve the modification which would allow JROTC instructors, credentialed or not, to deliver instruction in Physical Education.

Response:
The DSSS Teaching Credential is a "teaching credential."

Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7) and holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will only authorize the holder to teach physical education courses in basic military drill and physical fitness training offered within BMD and/or ROTC courses. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision.

Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

The rulemaking documents include the following statement regarding the benefits of the proposed regulation amendments:

> *"The Commission anticipates that the proposed amendments will benefit the welfare of the students attending public schools in the State of California by creating a Special Teaching Authorization in Physical Education that LEAs may potentially use in conjunction with EC §51225.3 to grant physical education high school graduation credit for basic military drill and physical fitness training courses taught by holders of Designated Subjects Special Subjects Credentials in BMD and ROTC, thereby increasing the students' course options."*

The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. LEAs that choose to grant physical education high school graduation credit for basic military drill and physical fitness training courses taught by the holder of a DSSS credential with the Special Teaching Authorization will provide students with additional course options to satisfy the prescribed physical education high school graduation requirement. Such options may provide the enrollment numbers for continuation of JROTC programs in California public schools.

787. Michael S. Adler, Parent, Employer, and Taxpayer in California
Comment #1: Just because the JROTC instructors survived boot camp (and maybe even instructed it) does not make them inherently qualified to lead physical education classes.

Response to Comment #1:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Comment #2:
I also believe it's not a good idea to provide JROTC instructors schoolday sales time with students, including students who haven't signed up to take JROTC. We should be teaching our children to solve problems with words, not guns.

Response to Comment #2:
The comment is dismissed pursuant to Government Code section 11346.9(a)(3) as it is not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments.

788. Shannon Anderson, Teacher
Comments: It has recently come to my attention that California is thinking about replacing Credentialed Physical Education teachers with non-credentialed people. Physical Education is an important part of students' learning, so I feel they need teachers to instruct them who are credentialed.

Response:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

789. Marian Aste, Lecturer

790. Brittany Balanesi
Comment #1:
I am writing in regards to the decision made allowing JROTC members to become certified to teach physical education. I am currently a student finishing up my last semester at California State University, Stanislaus. I am finishing up my BA degree in Kinesiology and then will be continuing into a credential program to be a physical education teacher. It is very upsetting for myself and my fellow classmates to hear JROTC just have to pass a couple tests in order to become certified to teach while we have been working hard for the past four years.

Comment #2:
In order for me to become a certified physical education teacher, I must have my Bachelors Degree and then complete the credential program, which is another two to three years of schooling. After completing the schooling portion, I must then pass a series of exams. By allowing military members to only pass the exams to receive their certification is a slap in the face to those who have spent countless hours learning how to provide a proper and beneficial education for young students.

Response to Comments #1 and #2
One of the requirements for a DSSS Teaching Credential in BMD or ROTC is a minimum of four years of military service and issuance of the clear credential requires completion of a Commission-approved designated subjects program and verification of two years of successful full-time teaching experience. The proposed requirements for the Special Teaching Authorization in Physical Education are possession of a DSSS Teaching Credential in BMD or ROTC, satisfaction of the basic skills requirement, and verification of subject matter knowledge in Physical Education by passing the CSET for Physical Education or by completing a Commission-approved subject matter program in Physical Education.

Comment #3:
It is not just about the amount of time I or any student has spent in school getting our degree, it is about young children receiving the highest level of education that will benefit them throughout their lives. Within in the Kinesiology degree, we not only learn how to teach sports skills, but we also learn how to create a well developed curriculum, assess students learning, assess our own teaching, and how to manage large groups of students.

Response to Comment #3:
A degree major in Kinesiology or Physical Education is not required for issuance of a Single Subject Teaching Credential in Physical Education. The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

In California, subject matter preparation programs for prospective teachers are not the same as undergraduate degree programs. Post-secondary institutions govern academic programs that lead to the award of degrees. The Commission sets standards for academic programs that lead to the issuance of credentials and a degree may be in a subject other than the one to appear on the credential. Similarly, degree programs for undergraduate students may or may not fulfill the Commission's standards for subject matter preparation.

Comment #4:
Fitness is very important to teach young children in hopes that they will carry that with them as they get older, but without knowing how to teach students specific skills or the understanding of fitness then they will not benefit from it. JROTC members should not be allowed to teach young children physical education. They do not have the proper

knowledge to provide the students with a beneficial education. We have to remember that this is about the children and what is best for them. We as educators or future educators take pride in the fact that we work so hard to able to provide young children with the best education possible. With that being said, when making your decision about JROTC members being allowed to become certified to teach physical education, think about what is best for the students.

Response to Comment #4:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #5:
I respectfully request that you vote to disagree with the modifications to restore proposed Title 5 California Code of Regulations (5CCR §80037) which were approved by vote on April 10, 2014, and to restore the decision of February 14, 2014 to strike the Special Teaching Authorization in Physical Education (PE), Designated Subjects Special Subjects (DSSS) in Reserve Officers Training Corps (ROTC) and Basic Military Drill (BMD).

Response to Comment #5:
The decision to restore the proposed language pertaining to the Special Teaching Authorization in Physical Education will be considered by the Commission at the June 2014 meeting.

791. Craig Buschner, Professor of Kinesiology, CSU Chico
Comment #1:
Quality school physical education and JROTC have different short and long-term goals. Physical "education" is designed to help *all children and youth* to become physical active for life. This requires *education* versus *training* and necessitates the achievement of state and national standards for learning that include the cognitive, affective and motor domains (CAHPERD & NASPE). Required school physical education, with certified/credentialed teachers, prepares literate movers for a lifetime of healthy living. JROTC is focused upon physical training and the preparation of future military personnel. These are very different purposes and require different levels of *teacher* versus *drill master* expertise.

Response to Comment #1:
Title 5 of the California Code of Regulations section 10060 establishes the criteria for appraising the quality of physical education programs in senior or four-year high schools that California schools districts must follow. Title 5 of the California Code of Regulations section 10060 does not fall under the purview of the Commission; however, the Special Teaching Authorization in Physical Education will not affect a school district's procedures when appraising the quality of physical education programs.

Comment #2:
School physical education is based upon the academic discipline of kinesiology. Credentialed teachers must have a body of knowledge that includes anatomy, physiology, biomechanics, exercise physiology, motor learning, motor development, psych-social aspects of learning and pedagogy. This illogical authorization fails to insure this foundational knowledge by JROTC instructors that is so essential for children and youth.

Response to Comment #2:
A degree major in Kinesiology or Physical Education is not required for issuance of a Single Subject Teaching Credential in Physical Education. The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

In California, subject matter preparation programs for prospective teachers are not the same as undergraduate degree programs. Post-secondary institutions govern academic programs that lead to the award of degrees. The Commission sets standards for academic programs that lead to the issuance of credentials and a degree may be in a subject other than the one to appear on the credential. Similarly, degree programs for undergraduate students may or may not fulfill the Commission's standards for subject matter preparation.

Holders of DSSS credentials in BMD or ROTC will be required to satisfy California's basic skills requirement <u>and</u> verify their subject matter knowledge in Physical Education by passing the CSET for Physical Education or by completing a Commission-approved subject matter program in Physical Education.

Comment #3:
One-third of children and youth in the United States are inactive and overweight. California's children (especially urban youth, low SES, and females) are in need of quality physical education learning experiences K-12. We need to educate our youth to learn: motor skills, understand scientific concepts of movement, become physically active on a daily basis, develop personal and social responsibility, and value lifelong participation. Physical education is much more that *(sic)* getting kids physically fit. JROTC is a limited program for a small percentage of youth who desire military training.
Comment #4:
The AMA and NASPE 92012) state, "Physical education is based on a sequence of learning. Physical education classes focus on physical activity—running, dancing and

other movement but physical education also includes health, nutrition, social responsibility and the value of fitness throughout one's life." Military training is not standards based school physical education.

Comment #5:
NASPE (2012) states, "Research shows a link between quality physical education and present and future physical activity participation. One possible reason for this link is that youth "choose to participate in physical activities if they have skills that enable them to participate. Through physical education courses—instruction and specific, constructive feedback is provided by a certified teacher." The current authorization fails to recognize expertise of credentialed physical education teachers.

Comment #6:
NASPE (2012) states, "Research shows that daily physical education has a positive correlation with academic performance and attitude toward school. This may be simply because physically fit students have better school attendance records and fewer disciplinary referrals. But recent research indicates that physical activity might impact academic performance through a variety of direct and indirect physiological, cognitive, emotional and learning mechanisms". There is no research to support that military training, versus education, is correlated to the above outcomes.

Comment #7:
*Public Support for Physical Education

- The American Academy of Pediatrics, NASPE, the AHA, the U.S. Department of Health and Human Services (HHS), the U.S. Department of Education, the President's Council on Physical Fitness and Sport, and the Centers for Disease Control and Prevention (CDC) all are on record as supporting the need for physical activity for youth and for quality PE.
- Some 31% of physical education teachers perceive increased interest and support from parents regarding students' physical activity; and 27% perceive increased interest/support from parents regarding students' PE.
- According to one survey, nearly all parents (95%) think that regular daily physical activity helps children do better academically and should be part of a school curriculum for all students in grades K-12.
- Three out of four parents (76%) think that more school physical education could help control or prevent childhood obesity.
- The majority of parents believe that physical education is at least as important as other academic subjects. The percentages range from 54% to 84%, depending on the subject being compared.
- A survey report from the Harvard Health Forum indicates that 91% of parents surveyed feel that there should be more physical education in schools, particularly for fighting obesity.

* Direct quotes taken from: The *Shape of the Nation Report:* The Status of Physical Education in the USA (SON, 2012). Conducted by the American Heart Association with the National Association for Sport & Physical Education (NASPE), Reston, VA.

Responses to Comments #3, #4, #5, #6, and #7:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7) and holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will only authorize the holder to teach physical education courses in basic military drill and physical fitness training offered within BMD and/or ROTC courses. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision.

Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #8:
The current authorization **must be overturned** for the people of California. ROTC and BMD leaders provide a valuable service to our state and nation. However, let's not confuse military training with quality school physical education. Such thinking is misguided and ill conceived. It is not in the "best interests" of children and youth in California or the nation. **I strongly oppose this authorization.**

Response to Comment #8:
The decision to restore the proposed language pertaining to the Special Teaching Authorization in Physical Education will be considered by the Commission at the June 2014 meeting.

792. Kim Butler
Comment #1:
I am a national board certified physical education teacher and I emphatically oppose allowing JROTC instructors to teach physical education classes by circumventing the CTC process for teaching licensure. Not only does this diminish the physical education profession, but also begins a slippery slope of allowing alternative routes for teacher licensure that is not in the best interests of students.

Comment #2:
I was the physical education curriculum specialist for my district and I have personally observed the level of physical education instruction taught by JROTC instructors for my district. I can honestly say that the state physical education standards are not being taught and the required 400 minutes of physical education instruction required every 10 days are not being met in our district's JROTC "physical education" classes. As part of my physical education curriculum specialist position I was required to review the JROTC standards for the course "JROTC Physical Education." A close inspection of the state physical education standards and the JROTC standards illuminated the point that the only common standards shared by both disciplines was in the area of physical fitness performance and some standards of fitness knowledge. The fitness knowledge requirements for physical education far exceed the JROTC fitness knowledge

requirements. The other 7 required content areas for physical education (ex. dance, dual and individual activities, biomechanics language, gymnastics/tumbling, etc…) are not addressed in the JROTC instruction manuals.*

*One exception – at one of our high schools there is a swimming pool and the JROTC program at this school focused on Navy preparation so the cadets were able to demonstrate mastery of the aquatics standards. This was the only JROTC program to demonstrate mastery of this content area.

Comment #3:
With the recent position of the CTC requiring JROTC instructors to hold a physical education credential we had a tremendous positive step in the JROTC "physical education" would no longer be offered in our district. The main reason for this is that none of the JROTC "physical education" instructors hold a physical education certification and most of them do not even have a bachelor's degree. As you can imagine, the Title 5 Regulations are a cause for concern in that the very JROTC instructors who have not been teaching physical education content standards and do not have a physical credential may once again be reinstated.

Response to Comments #1, #2, and #3:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #4:
I respectfully request that you oppose the proposed Title 5 Regulations which will diminish the quality of physical education instruction.

Response to Comment #4:
The decision to restore the proposed language pertaining to the Special Teaching Authorization in Physical Education will be considered by the Commission at the June 2014 meeting.

793. Michael Cervantes
Comment: JROTC instructors are not qualified to teach high school P.E.

Response:
Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching

Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision.

794. Virginia F. Chadwick, Professor Emerita of Kinesiology, CSU Fresno
Comments:

I am writing to oppose the Title 5 California Code of Regulations (5CCR) Language to allow Special Authorization in Physical Education for Reserve Officer Training Corp (ROTC) and Basic Military Drill (BMD) for the following reasons:
MOST IMPORTANT:
There is a culture of sexual assault in the military that has yet to be resolved at the adult level. Subjecting school age learners to this culture of rape and violence is utterly inhumane and is not educational.

In my family may father, my sister-in-law, both of my nephews, and my grand nephew have served or are serving in the US Army, my nephew and my grand-nephew was/are in the Marine Corp, and my brother, the USN. Not one of them was trained in child development, physical fitness or any areas necessary for a physical education teaching credential and not one of discharges service members has retained a physically active lifestyle.

Response to comments above:
The comments are dismissed pursuant to Government Code section 11346.9(a)(3) as they are not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments.

- The baccalaureate degree is the minimum standard for teacher credentialing. The commission has not been given the authority to waive this minimum requirement standard by equating four years of military experience with a baccalaureate degree.
- There is no certainty of curricular consistency between ROTC/BMD and quality, appropriate physical education.
  *States allowing ROTC/BMD in lieu of Physical Education have higher obesity rates than California
- Denying California Youths of qualified instructors creates even more future costs due to obesity and diabetes.

I VEHEMENTLY OPPOSE these regulations and beseech the CTC to abandon them immediately.

Response to bulleted points:
The current language provided in 5 CCR §80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Education Code section 51225.3(b) allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study for high school graduation in any subject area. This is a permissive section of the Education Code. The LEA has full discretion of

how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in Education Code section 51225.3(b) is a local level decision. The proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses.

The comment related to higher obesity rates in the nine states that allow ROTC/BMD in lieu of Physical Education assumes facts that have not been presented to the Commission. No data has been provided to the Commission to indicate that the direct or indirect cause of the higher obesity prevalence for the nine states is the physical education exemption for JROTC participation.

Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision.

795. Janet Clark, Physical Education Teacher
Comment #1:

The CTC did not follow appropriate ***PROCEDURES.***

The CTC did not involve collaboration in the development of the proposed Title 5 Amendments with key groups, agencies, or personnel "directly affected" by the Amendments, including higher education teacher preparation programs, the California Department of Education and the State Board of Education, LEA physical education Program coordinators and consultants, physical education professional associations, to name a few.

Response to Comment #1:
Government Code section 11346.45(a) reads:

> *"In order to increase public participation and improve the quality of regulations, state agencies proposing to adopt regulations shall, prior to publication of the notice required by Section 11346.5, involve parties who would be subject to the proposed regulations in public discussions regarding those proposed regulations, when the proposed regulations involve complex proposals or a large number of proposals that cannot easily be reviewed during the comment period."*

The proposed amendments to Title 5 of the California Code of Regulations section 80037 do not "involve complex proposals or a large number of proposals that cannot easily be reviewed during the comment period." The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's

basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Comment #2:
The CTC did not access or provide key research and data to provide rationale for developing such a proposal or to indicate the impact this proposal will have on students and school programs.

Response to Comment #2:
The proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #3:
After the 45-day notice and Public Hearing, this proposal was defeated in February by a vote of 6-4 with a strong voice of opposition to this proposal from the Commissioner appointed by the Superintendent of Public Instruction and representing the California Department of Education. Notice was sent out for a 15-day review of the remaining items on the list of CTE amendments. Since the specific proposal had been voted down, those who supported the "no" vote were not made aware that this item would be brought back up. In the meantime, associations that had not participated in the 45-day window for input, including the Association for California School Administrators and the California School Boards Association, suddenly sent in letters opposing the "NO" vote of the Commission, as did some members of the military who had already provided input during the 45-day period as well as at the Public Hearing. Those who had provided input to support the "no" vote during the 45-day period and during the Public Hearing were not made aware that they had to respond again to support the "no" vote during the 15-day notice period following the "no" vote. The fact that there was such a strong voice against the proposal up to and during the Public Hearing, and yet not a single response supporting the "no" vote during the 15-day input period following the "no" vote is evidence that the notice regarding the need for input, one the Commission had voted on the item, certainly lacked clarity.

Response to Comment #3:
The 15-Day Notice dated February 26, 2014 stated that any person who wishes to comment on the proposed modifications could do so by submitting written comments postmarked beginning February 27 through March 14, 2014. The written comments were to be restricted to the "recent modifications" to the proposed language, meaning the modifications to remove the language pertaining to the Special Teaching Authorization in Physical Education. After the close of the initial 15-Day Notice period, the Commission received 54 letters in support of the proposed modifications included in the 15-Day Notice dated February 26, 2014 and those letters were provided to all members of the Commission prior to the April 10, 2014 Commission meeting. Any member of the public could respond to the proposed regulation modifications during the 15-Day Notice period, even if he/she did or did not respond during the 45-day comment period.

Comment #4:
I am really disheartened by the California Commission on Teacher Credentialing. I would hope that a CTC can stay neutral and make decisions that are clearly common sense and the right thing to do. Instead, we have a Commission body voting and making a decision and then reversing a decision?? I would hope that the CTC can act openly and honestly to all parties. I also think that lobbies' are contributing their part in this decision making process.

Response to Comment #4:
The Commission voted to restore the language pertaining to the Special Teaching Authorization in Physical Education to the proposed regulations following oral presentations that clarified several potential misunderstandings as follows:

1) *The Commission does not have the authority to decide if JROTC or BMD courses may be awarded high school graduation credit in the area of Physical Education. The authority to designated ROTC and/or BMD courses as eligible for high school graduation credit in Physical Education rests with governing boards of California LEAs as provided in Education Code section 51225.3(b);*
2) *The proposed authorization would allow ROTC and BMD credential holders to demonstrate a higher level of preparation (by satisfying California's basic skills requirement and verification of subject matter knowledge in Physical Education) and have that preparation recognized on their credentials through issuance of the Special Teaching Authorization;*
3) *The proposed authorization would serve as an incentive for ROTC and BMD credential holders to become better prepared to teach Physical Education in the context of a JROTC or BMD course, if such a course is approved for Physical Education credit by a local governing board.*

796. Elmano Costa, Chair, Department of Teacher Education, CSU Stanislaus
Comment #1:
This letters serves as opposition to the April 10, 2014 commission decision to restore proposed Title 5 California Code of Regulations (5 CCR §80037) language, stricken on February 14, 2014, for a Special Teaching Authorization in Physical Education (PE), Designated Subjects Special Subjects (DSSS) in Reserve Officers Training Corps (ROTC) and Basic Military Drill (BMD). The proposed 5 CCR regulation does not meet the minimum credential standard set in the Education Code and therefore lowers teacher preparation standards for one of the academic subject areas, physical education, minimally required for high school graduation, [EC§§ 44256 and 44257(a)(11)and 5 CCR §10060]

Response to Comment #1:
Education Code section 44256 broadly defines the authorizations for Single Subject, Multiple Subject, Specialist, and Designated Subjects Teaching Credentials. Education Code section 44257 establishes the authorizations for Single Subject Teaching Credentials and subsection (a)(11) specifies that Physical Education is one of the available subject areas. Neither of the aforementioned EC sections specifies credential standards or state that Physical Education is an authorization exclusive to Single Subject Teaching Credentials.

Title 5 of the California Code of Regulations section 10060 establishes the criteria for appraising the quality of physical education programs in senior or four-year high schools that California schools districts must follow. This Title 5 section does not fall under the purview of the Commission; however, the Special Teaching Authorization in Physical Education will not affect a school district's procedures when appraising the quality of physical education programs.

Comment #2:
As written, the "Special Teaching Authorization in Physical Education" will allow preliminary DSSS credential holders to teach physical education in ROTC and BMD without possessing the following: 1) a baccalaureate degree, 2) English Learner (EL) certification, 3) technology competency, and 4) a subject specific pedagogy course, as noticed by the CTC in the January 17, 2014 CTC Program Sponsor Alert, a requirement for individuals who seek to add a content area to a single subject teaching credential. [EC §§ 44260, 4260.1, 42605, and CCR §80499.2] These omissions result in lower teacher preparation standards and thus deny students access to qualified teachers in a state-mandated graduation requirement subject.

Response to Comment #2:
Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

Education Code section 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials. The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Although the proposed regulations do not include an EL authorization for the preliminary DSSS Teaching Credential, the proposed regulations do require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] that will result in the addition of a Specially Designed Academic Instruction in English (SDAIE) EL authorization at the time the clear credential is issued [reference subsection (d)(2) in the proposed regulation text].

Local governing boards may require an individual to hold a clear DSSS Teaching Credential with the SDAIE authorization prior to employment or request issuance of a CCSD Variable Term Waiver to authorize the instruction of English learners while an individual holds a preliminary DSSS Teaching Credential. In addition, holders of preliminary or clear DSSS Teaching Credentials have the option of earning a Clear CLAD Certificate or adding an English learner authorization to their documents by

completing a CTEL program or passing the CTEL examinations (reference Title 5 of the California Code of Regulations section 80015).

Current Education Code and Title 5 of the California Code of Regulations language authorizes the Commission to issue preliminary Single Subject Teaching Credentials without an English learner authorization to teachers credentialed outside California as follows: credentialed in another state – Education Code section 44274.2 and subsections (a)(1) and (b)(1) of Title 5 of the California Code of Regulations section 800413.3 (out-of-state credentialed teachers must earn an EL authorization to qualify for the clear credential); credentialed outside the United States – Education Code section 44275.4 (teachers credentialed outside the United States are not required to earn an EL authorization to qualify for the clear teaching credential).

The proposed regulation amendments require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] to qualify for the clear DSSS Teaching Credential and Standard 11 addresses the uses of technology in the classroom. Local governing boards may require an individual to hold a clear DSSS Teaching Credential, confirmation from an approved program sponsor that the holder of a preliminary DSSS credential has completed Standard 11, or passage of the Preliminary Educational Technology Test prior to designating an ROTC or BMD class as eligible for Physical Education graduation credit pursuant to Education Code section 51225.3(b).

A specific subject pedagogy course is one of the requirements to earn a Single Subject Teaching Credential under the provisions of Title 5 of the California Code of Regulations section 80499. The authorization of the proposed Special Teaching Authorization in Physical Education is not equivalent to the authorization of a Single Subject Teaching Credential in Physical Education. The authorization of the proposed Special Teaching Authorization in Physical Education is limited to physical education courses in basic military drill and physical fitness.

The Education Code references cited in Comment #2 do not pertain to DSSS Teaching Credentials. Education Code section 44260 pertains to issuance of Designated Subjects five-year preliminary CTE teaching credentials. Education Code section 4260.1 does not exist. Staff believes the commenter meant to reference Education Code section 44260.1, which pertains to issuance of Designated Subjects five-year clear CTE teaching credentials. Education Code section 42605 does not exist and staff could not determine the Education Code section the commenter meant to reference. Title 5 of the California Code of Regulations section 80499.2 also does not exist, but staff is confident the commenter meant to reference the subject specific pedagogy requirement included Title 5 of the California Code of Regulations section 80499. The Commission's response to this Title 5 reference is provided in the paragraph above.

797. Heather Deaner, Associate Professor, CSU Stanislaus
Comments:
I write this letter to state my opposition to the April 10, 2014 commission decision to restore proposed Title 5 California Code or Regulations (5 CCR §80037) language, stricken on February 14, 2014, for a Special Teaching Authorization in Physical Education (PE), Designated Subjects Special Subjects (DSSS) in Reserve Officers

Training Corps (ROTC) and Basic Military Drill (BMD). As a faculty member in the Department of Kinesiology at California State University, I can attest to the specialized training that our students undertake in order to earn their degree in the Single Subject Matter Program which prepares them to enter credential programs and complete the process to become physical educators. Minimizing or overlooking the importance of this training would be a disservice to all students and the physical education profession. ROTC and physical education are not the same as the California Association for Health, Physical Education, Recreation and Dance (CAHPERD) and other parties have previously outlined. At a time when the physical health and fitness of your youth are greatly compromised, it is imperative that high qualify physical education programs be the norm. To diminish the qualifications needed to lead these physical education programs would undermine the profession and the positive impacts it can have.

Response:
A degree major in Kinesiology or Physical Education is not required for issuance of a Single Subject Teaching Credential in Physical Education. The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

In California, subject matter preparation programs for prospective teachers are not the same as undergraduate degree programs. Post-secondary institutions govern academic programs that lead to the award of degrees. The Commission sets standards for academic programs that lead to the issuance of credentials and a degree may be in a subject other than the one to appear on the credential. Similarly, degree programs for undergraduate students may or may not fulfill the Commission's standards for subject matter preparation.

Holders of DSSS credentials in BMD or ROTC will be required to satisfy California's basic skills requirement and verify their subject matter knowledge in Physical Education by passing the CSET for Physical Education or by completing a Commission-approved subject matter program in Physical Education.

798. Terri Drain, Teacher, NBCT
Comments:
- Students need highly qualified teachers in ALL subjects
- The CTC should make decisions based on what is right for students – not special interest groups
- Stop watering down physical education!

Response:
The comments are dismissed pursuant to Government Code section 11346.9(a)(3) as they are not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments.

799. Philip Ferrigno, Physical Education Teacher
Comments:
My stance on letting someone teach Physical Education without a proper credential is absurd! Are any other subjects having this happen to them? Is English letting someone teach their subject without proper credentialing? No. This is an attack on Physical Education by the JROTC programs to make sure their programs can still be relevant in the school community. I am not against JROTC program I am against the JROTC providing P.E. credit for after school programs. In San Francisco this has been a constant battle and it has pitted JROTC against P.E. I hope this makes it clear
Thank you and do not give up the fight

Response:
Education Code section 51225.3(b) allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study for high school graduation in <u>any</u> subject area. This is a permissive section of the Education Code. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in Education Code section 51225.3(b) is a local level decision. The proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

800. Sarah S. Forth
Comments:
JROTC is not an adequate substitute for PE.
1. PE offers students a smorgasbord of physical activities that should encourage them to be active throughout their lives. "Drill" is not an activity likely to be pursued into adulthood.
2. Calisthenics should be supervised by a certified teacher/trainer with coursework in Kinesiology.
3. The Brig. General of the CA National Guard openly admitted the aim of this modification is to reserve the decline in JROTC enrollment—hardly a solid basis for educational policy.

Response:
Substituting JROTC for Physical Education courses is not the purpose of the proposed regulation amendments. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

The rulemaking documents include the following statement regarding the benefits of the proposed regulation amendments:

> *"The Commission anticipates that the proposed amendments will benefit the welfare of the students attending public schools in the State of California by creating a Special Teaching Authorization in Physical Education that LEAs may potentially use in conjunction with EC §51225.3 to grant physical education high school graduation credit for basic military drill and physical fitness training courses taught by holders of Designated Subjects Special Subjects Credentials in BMD and ROTC, thereby increasing the students' course options."*

The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. LEAs that choose to grant physical education high school graduation credit for basic military drill and physical fitness training courses taught by the holder of a DSSS credential with the Special Teaching Authorization will provide students with additional course options to satisfy the prescribed physical education high school graduation requirement. Such options may provide the enrollment numbers for continuation of JROTC programs in California public schools.

801. Michael A. Godfrey, Retired Administrator and Physical Education Teacher

Comment #1:

The *Physical Education Content Standards for California Public Schools, K-12* affirm that participation in physical activity is not the same as education. JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education.

Response to Comment #1:

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #2:

Physical education is a science based academic discipline. Effective teachers of physical education have strong undergraduate foundations in biological and physical sciences. This proposal does not require that foundation for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps.

Comment #3:

The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential

in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential.

Response to Comments #2 and #3:
The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

In California, subject matter preparation programs for prospective teachers are not the same as undergraduate degree programs. Post-secondary institutions govern academic programs that lead to the award of degrees. The Commission sets standards for academic programs that lead to the issuance of credentials and a degree may be in a subject other than the one to appear on the credential. Similarly, degree programs for undergraduate students may or may not fulfill the Commission's standards for subject matter preparation.

Holders of DSSS credentials in BMD or ROTC will be required to satisfy California's basic skills requirement and verify their subject matter knowledge in Physical Education by passing the CSET for Physical Education or by completing a Commission-approved subject matter program in Physical Education.

802. Harold Goldstein, Executive Director, California Center for Public Health Advocacy
Comment #1:
The *Physical Education Content Standards for California Public Schools, K-12* affirm that participation in physical activity is not the same as education. JROTC has different goals and outcomes than physical education and is focused on participation in physical activity rather than learning the content of physical education.

Comment #2:
The content and learning outcomes for physical education and JROTC are not the same. Sufficient time must be devoted to the learning process for students to learn the content of physical education.

Response to Comments #1 and #2:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #3
Physical education is a science based academic discipline. Effective teachers of physical education have strong undergraduate foundations in biological and physical sciences. This proposal does not require that foundation for holders of Designated Subjects Teaching Credential sin Basic Military Drill and Reserve Officer Training Corps.

Response to Comment #3:
The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

In California, subject matter preparation programs for prospective teachers are not the same as undergraduate degree programs. Post-secondary institutions govern academic programs that lead to the award of degrees. The Commission sets standards for academic programs that lead to the issuance of credentials and a degree may be in a subject other than the one to appear on the credential. Similarly, degree programs for undergraduate students may or may not fulfill the Commission's standards for subject matter preparation.

Holders of DSSS credentials in BMD or ROTC will be required to satisfy California's basic skills requirement and verify their subject matter knowledge in Physical Education by passing the CSET for Physical Education or by completing a Commission-approved subject matter program in Physical Education.

Comment #4:
The children and youth of California depend on the CCTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential. Thank you for considering the downsides of this policy decision.

Response to Comment #4:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

803. Lynn Gregerson
Comments:
I have been teaching Physical Education for 35 in the same school district in California. I have taught all grade levels and continue to feel that our curriculum is the most valuable

in young people's lives. No student can succeed in whatever they do later in life if they do not have the tools, knowledge and skills to pursue a physically active and healthy lifestyle. Over the years, we as a society can no longer deny the decline of health, especially in our youth.

The CDC *(sic)* and Ed Code continue to decline the standards required for students in public school when it comes to health and physical education. Health is not taught in our district at all levels, except what is covered in the Health-Fitness portion of our standards in middle and high school and the Sex education in Science classes. Just because an ROTC instructor gives a high level of physical activity in the course, does not mean they are qualified to teach the entire curriculum; special authorization for a credential or not.

Giving a special credential to offer students the ability to pursue specialized elective courses and programs should not be what our public education is about. You should not continue to diminish the importance of quality physical and health education taught by fully trained physical educators. And remember, PE is a four-year program in the California Education Code with more and more interpretive clauses that allow school districts to waive students out of even two years of high school Physical Education. And with cut-backs, some districts do not even have quality Physical Education at the Elementary level nor is Health even taught (such as in our school district).

Please take a pro-active approach to what is important and that is the health, fitness and quality of life for future generations! Support only the full training, education and credentialing of highly qualified Physical Education teachers!

Response:
Single Subject Teaching Credentials in Physical Education, including supplementary authorizations in Introductory Physical Education (added to teaching credentials predominantly used in secondary schools) or Physical Education (added to teaching credentials predominantly used in elementary schools) initially issued on or after January 1, 1981 do not authorize the holder to teach health education [reference Title 5 of the California Code of Regulations section 80004(b)(3)].

Education Code section 51225.3(b) allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study for high school graduation in any subject area. This is a permissive section of the Education Code. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in Education Code section 51225.3(b) is a local level decision. The proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses.

804. David Haiby, Adapted Physical Education Specialist
Comments included in the letter from Mr. Haiby are the same as the comments provided in the CAHPERD letter from Ms. Deckard, minus Appendix A (see Commenter #2 in the organizational opposition section). Mr. Haiby substituted "me, David Haiby – Adapted

Physical Education Specialist" for "the California Association for Health, Physical Education, Recreation, and Dance (CAHPERD)" at the beginning of Comment #1, "I" for "Members" at the beginning of Comment #2, "I" for "CAHPERD" at the beginning of Comment #8, and "I" for "CAHPERD members" at the beginning of Comment #17 in the letter he submitted to the Commission.

805. Erin Hall, Chair, Department of Kinesiology, CSU Stanislaus
Comments:
To circumvent the educational process and preparation of highly qualified physical educators by waiving the requirements for JROTC instructors, allowing them to teach physical education, is to seriously undermine the desired outcome of physical education, which is to provide well-informed, well-rounded curriculum, for the purpose of fostering the development of physically educated individuals in every respect. We strongly urge that Title 5 regulations **NOT** be amended to authorize JROTC instructors to teach physical education. Their training and preparation for teaching across the content areas and learning domains is very limited and inadequate in scope when compared to the breadth of physical education teacher education programs. Please don't further dilute the integrity of the academic discipline of physical education with this proposed amendment.

Response:
Education Code section 51225.3 allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study for high school graduation in <u>any</u> subject area. This is a permissive section of the Education Code. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in Education Code section 51225.3(b) is a local level decision. The proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision.

806. Tim Hamel, Senior Lecturer, CSU Fresno
Comments:
As a faculty member in Physical Education Teacher Education (PETE) and a California Association for Health, Physical Education, Recreation and Dance (CAHPERD) Board of Directors member I am writing this letter in response to the commission's reversal of modifications of the proposed amendments to Title 5 of the California Code of Regulations pertaining to Designated Special Subjects Teaching Credentials. The panel's reversal with regards to allowing JROTC individuals to instruct within Physical

Education courses without a higher education degree or teaching credential is fundamentally wrong on multiple levels. I feel the reversal from the original ruling in February was brought forth through 'political bullying' by Governor Jerry Brown. How can the CTC reverse its' decision based on NINE letters of opposition? There had to another force that swayed the original voters in such a short amount of time. This force was no doubt brought on by 'political bullying' from Governor Brown. If this ruling is not restored to its original vote the sacred and notable field of pedagogy will take a huge step backwards. It is the design of the CTC to uphold teaching standards in all educational levels and not display cowardice. The essential function of the CTC is to uphold the teaching standards set forth by the CTC and ensure that quality educators are of the utmost importance. Finally, the reversal violates numerous education codes as outlined in CAHPERD's opposition letter.

In sum, I fell *(sic)* that it is vital that the CTC reverses its decision regarding this matter. It is essential on the basis of ensuring that students receive the most qualified instructor based on the requirements as laid out by the CTC. Do the honorable duty and restore the original decision and do not back down to Governor Brown's political bullying' tactics.

Response:
At the April 2014 meeting, the Commission voted to restore the language pertaining to the Special Teaching Authorization in Physical Education to the proposed regulations following oral presentations that clarified several potential misunderstandings as follows:

1) *The Commission does not have the authority to decide if JROTC or BMD courses may be awarded high school graduation credit in the area of Physical Education. The authority to designated ROTC and/or BMD courses as eligible for high school graduation credit in Physical Education rests with governing boards of California LEAs as provided in Education Code section 51225.3(b);*
2) *The proposed authorization would allow ROTC and BMD credential holders to demonstrate a higher level of preparation (by satisfying California's basic skills requirement and verification of subject matter knowledge in Physical Education) and have that preparation recognized on their credentials through issuance of the Special Teaching Authorization;*
3) *The proposed authorization would serve as an incentive for ROTC and BMD credential holders to become better prepared to teach Physical Education in the context of a JROTC or BMD course, if such a course is approved for Physical Education credit by a local governing board.*

807. Janice L. Herring, Lecturer, Department of Kinesiology, CSU Stanislaus
Ms. Herring submitted two responses: a letter dated May 12, 2014 and an email dated May 13, 2014. The comments on both responses were essentially the same with slight additions included in the email. The additions included in the email are noted herein.

Comment #1:
As a faculty member in the Department of Kinesiology at California State University, Stanislaus, I strongly oppose the proposal to amend Title 5, authorizing ROTC instructors to teach physical education, in any form.

To earn the bachelor of arts degree Kinesiology in the physical education single subject matter program, students complete prerequisite coursework in biology, human anatomy, and human physiology with laboratories. They learn the foundations, history, and philosophy of physical education to gain perspectives on how the discipline has evolved. Additionally, courses in motor learning and motor development, and adapted physical education prepare them to understand developmentally appropriate sequencing and the need to adapt skill instruction to the individual. Exercise science courses with laboratories in kinesiology (biomechanical principles), exercise physiology, and the prevention and care of athletic injuries give students the background to understand and be able to teach their future students about how the human body works, how to exercise safely, and how to optimize health and performance. Sport sociology and sport/exercise psychology further prepare the students to consider how they are addressing the affective domain of learning, a critical aspect in fostering lifelong physical activity. Courses in elementary pedagogy, secondary pedagogy, and curriculum development provide theoretical and practical experiences for developing effective lesson plans, teaching units, and the entire scope and sequence of their physical education curriculum. A course in measurement and evaluation focuses on testing and assessing achievement and learning in all of the learning domains. Further specialized pedagogy courses that we title "Theory and Analysis" directly address the *Physical Education Framework for California Public Schools* in all of the approved content areas: Aquatic Sports, Combative Activities, Dance and Gymnastics, Individual Sports and Games, Dual Sports and Games, Team Sports and Games, Fitness Activities, and Outdoor Education. These courses allow the students practical opportunities to enhance their skills and fitness and to learn how to effectively teach the content for specific learning objectives. At the successful completion of the physical education subject matter degree program, students spend another year earning their single subject credential with guidance from teacher education faculty and practical experience in the field as student teachers under the tutelage of a coordinating physical education teacher. This process of developing and training highly qualified physical educators produces individuals who are fully equipped to address all of the learning domains encompassed within the *Physical Education Model Content Standards for California Public Schools*, including the Cognitive, Psychomotor, Health-Related Physical Fitness, and Affective domains.

Response to Comment #1
A degree major in Kinesiology or Physical Education is not required for issuance of a Single Subject Teaching Credential in Physical Education. The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

In California, subject matter preparation programs for prospective teachers are not the same as undergraduate degree programs. Post-secondary institutions govern academic programs that lead to the award of degrees. The Commission sets standards for academic programs that lead to the issuance of credentials and a degree may be in a subject other than the one to appear on the credential. Similarly, degree programs for undergraduate

students may or may not fulfill the Commission's standards for subject matter preparation.

One of the requirements for a DSSS Teaching Credential in BMD or ROTC is a minimum of four years of military service and issuance of the clear credential requires completion of a Commission-approved designated subjects program and verification of two years of successful full-time teaching experience. The proposed requirements for the Special Teaching Authorization in Physical Education are possession of a DSSS Teaching Credential in BMD or ROTC, satisfaction of the basic skills requirement, and verification of subject matter knowledge in Physical Education by passing the CSET for Physical Education or by completing a Commission-approved subject matter program in Physical Education.

Comment #2
To circumvent the educational process and preparation of highly qualified physical educators by waiving the requirements for ROTC instructors, allowing them to teach physical education, is to seriously undermine the desired outcome of physical education, which is to provide well-informed, well-rounded curriculum, for the purpose of fostering the development of physically educated individuals in every respect.

Response to Comment #2:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #3:
May 12 letter begins, "I strongly urge that the…" and the May 13 email begins, "I have strongly urged the Commission to honor its…" continuing on both with, "…vote of February 14, 2014, not to amend Title 5 regulations to authorize JROTC instructors to teach physical education be honored and upheld and that decision to reverse that vote on April 10, 2014 be stricken. The training and preparation of ROTC for teaching across the content areas and learning domains is very limited and inadequate in scope when compared to the breadth of physical education teacher education (PETE) programs."

Response to Comment #3:
One of the requirements for a DSSS Teaching Credential in BMD or ROTC is a minimum of four years of military service and issuance of the clear credential requires completion of a Commission-approved designated subjects program and verification of two years of successful full-time teaching experience. The proposed requirements for the Special Teaching Authorization in Physical Education are possession of a DSSS Teaching Credential in BMD or ROTC, satisfaction of the basic skills requirement, and verification of subject matter knowledge in Physical Education by passing the CSET for Physical

Education or by completing a Commission-approved subject matter program in Physical Education.

Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

Comment #4:
May 12, 2014 letter: Though not the focus of this current hearing, I similarly oppose the offerings of sports (athletics) physical education, cheerleading, and marching band as alternatives to physical education, which are rarely taught by highly qualified physical educators. Please don't further dilute the integrity of the academic discipline of physical education with this proposed amendment.

May 13, 2014 email: Though not the focus of this current hearing, I similarly oppose the offerings of sports (athletics) physical education, cheerleading, and marching band as alternatives to physical education, which are rarely taught by highly qualified physical educators. Over my 21 years of teaching at CSU Stanislaus, I have seen negative changes in the skill level and breadth of knowledge of incoming students in the Kinesiology major. I attribute that directly to the fact that many of them were interscholastic athletes in high school, and did not have exposure to general physical education because they were allowed to receive physical education credits for participating is sports. The direct result of which, is that they come to the University with limited experience and exposure to the wide array of content which should be taught in middle and high school physical education. We have 2 concentrated years of upper division coursework to remedy that problem. Please don't stand by and allow further dilution of the integrity of the academic discipline of physical education with this proposed amendment.

Response to Comment #4:
The comments are dismissed pursuant to Government Code section 11346.9(a)(3) as they are not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments.

808. Catherine Himberg, Professor of Kinesiology, CSU Chico
The letter submitted by Professor Himberg included the same comments included in the letter from Professor Buschner (refer to Commenter 791) and the following additional comment:
Quality physical education helps students develop the motor skills, knowledge, virtues, and self-management skills needed to become active and healthy for life. This includes the obvious: skills in a variety of physical activities that can be enjoyed throughout a lifetime, and the fitness concepts that are so important to understand in order to become your own primary advocate for physical health and wellness. But it also includes the knowledge of how exercise positively affects brain function, learning, stress, anxiety, depression, ADHD, addiction, dementia, hormone imbalances and other common mental and emotional aspects of health and wellness. Students have the right to know that regular exercise before studying for a difficult exam can help them learn better, and that exercise primes the brain for learning by creating new brain cells, and improving the connections between them. Quality physical education teachers teach their students how

exercise helps them pay attention, focus, concentrate, and makes learning stick. Quality physical education fosters the self-management skills that lead to positive behavior modification, so that students leave school with all the tools they need to take care of our most common and preventable ailments. There is no substitution for quality physical education!

Response to Additional Comment:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

809. Arlene Inouye, Treasurer, Teachers Union

810. Alejandra Jimenez, Future Physical Education Teacher
Comments included in the letter from Ms. Jimenez are the same as the comments provided in the CAHPERD letter from Ms. Deckard, minus the Appendix (see Commenter #2 in the organizational opposition section)

811. Keith Johannes, Legislative Committee Chair, California Association for Health, Physical Education, Recreation and Dance (CAHPERD)
Comment #1
If taken, this action would create a 'Health and Safety risk' for California Students;

Many Military 'physical fitness' tests items, actually are contraindicated and can cause injury. [A soldier is more likely to be medially evacuated from a war zone (Iraq and Afghanistan most recently) because of an injury due to improper fitness training than enemy fire] MISSION READINESS Many of the rest of the military fitness test items have little to do with health-related fitness while the FITNESSGRAM test items are all research linked to health-related fitness. And, Approaching the FITNESSGRAM from a military point of view, actually compromises the data.

Response to Comment #1
The comments are dismissed pursuant to Government Code section 11346.9(a)(3) as they are not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments.

Comment #2:
ACSA asks for greater flexibility? Really? To NOT teach physical education? Research and other observations show BMT *(sic)* and JROTC do not Teach physical education, with 83% of lessons having absolutely no connection with physical education standards. If an administrator will continue to allow 'Marching" as part of the physical education curriculum, (not listed as any part of the physical education standards), how can they then reprimand any slacker physical education teacher for not addressing their standards? This

type of 'flexibility' undercuts this discipline, teacher evaluation consistency, and the entire movement to standards based education by extension.

Response to Comment #2:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #3:
CSBA says this is a career tech plus? Physical Education is not a career tech course. All careers do better living a healthy lifestyle, but career tech around physical education is mostly related to health-related fitness, and fitness training. Recruits to the military would be better served getting their health-related fitness lessons from a standards based physical education class. What does the school wellness division of this organization think about this, they have got to be upset!

Response to Comment #3:
The comments are dismissed pursuant to Government Code section 11346.9(a)(3) as they are not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments.

Comment #4:
Will any sensible argument to not pass this item change your mind? Likely not because you have been instructed how to vote.

Response to Comment #4:
The decision to restore the proposed language pertaining to the Special Teaching Authorization in Physical Education will be considered by the Commission at the June 2014 meeting.

812. Howard Johnson
Comments:
This is militarization of our schools. It means the youths, male and female, will hear only on opinion about military service. As a Presbyterian Elder Commissioner, I believe "Thou shall not kill." Read Exodous (*sic*) 20

Response:
The comments are dismissed pursuant to Government Code section 11346.9(a)(3) as they are not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments.

813. Susan Johnson, Physical Education Teacher and Adapted PE Specialist
Comment #1:

Regulations may be more restrictive than codes, not less restrictive. A regulation that does not meet the minimum standard set by the statute supersedes the code. The proposed Title 5 does not meet the minimum credential standard set in the Education Code and therefore lowers teacher preparation standards for one of the academic subject areas, physical education, minimally required for high school graduation. [EC§§ 44256 and 44257(a) (11) and 4 CCR §10060].

Response to Comment #1:
Education Code section 44256 broadly defines the authorizations for Single Subject, Multiple Subject, Specialist, and Designated Subjects Teaching Credentials. Education Code section 44257establishes the authorizations for Single Subject Teaching Credentials and subsection (a)(11) specifies that Physical Education is one of the available subject areas. Neither of the aforementioned EC sections specifies credential standards or state that Physical Education is an authorization exclusive to Single Subject Teaching Credentials.

Title 5 of the California Code of Regulations section 10060 establishes the criteria for appraising the quality of physical education programs in senior or four-year high schools that California schools districts must follow. This Title 5 section does not fall under the purview of the Commission; however, the Special Teaching Authorization in Physical Education will not affect a school district's procedures when appraising the quality of physical education programs.

Comment #2:
The commission is attempting to add an academic authorization to a DSSS credential by waiving the baccalaureate degree as a minimum requirement for the CSET. The Legislature never declared that four years of work experience equate to a baccalaureate degree. The commission has not been given the authority to waive this minimum requirement standard by equating four years of military experience with a baccalaureate degree [EC §44225(b)] Education Codes Sections 44260, 44260.1, and 44260.2 do not equate four years of work experience with the baccalaureate degree.

Response to Comment #2:
The CSETs are examinations established by the Commission to satisfy the requirements of subsection (a)(1) of Education Code section 44225 for issuance of Multiple Subject and Single Subject Teaching Credentials; however, subsection (a) of Education Code section 44225 does not preclude the Commission from utilizing the CSET examinations for other credential types. In addition, there is no Education Code or Title 5 of the California Code of Regulations language requiring an individual to possess a baccalaureate degree in order to take a CSET.

Education Code sections 44260, 44260.1, and 44260.2 pertain to issuance of Designated Subjects three-year preliminary Career Technical Education (CTE), five-year clear CTE, and three-year preliminary Adult Education Teaching Credentials respectively, none of which pertain to issuance of DSSS Teaching Credentials. Education Code section 44260.4 pertaining to the issuance of DSSS Teaching Credentials reads:

> *"The minimum requirements for the designated subjects special subjects teaching credential shall be appropriate to the special subject named on the credential, in*

accordance with the requirements established by the commission. Special subjects instruction may include, but shall not be limited to, driver education and training."

The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Comment #3:
The commission has a responsibility to the appropriately credentialed physical education teachers and the students of California. Lowering the standard for one academic content area (physical education) that has curriculum standards and a framework adopted by the California Board of Education, is not fulfilling the regulatory responsibility of the CTC related to the misuse of the DSSS credential by some local governing boards. The commission must safeguard credential qualifications.

Response to Comment #3:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #4:
This issue is a legal and educational promise to maintain an appropriate level of health education and physical fitness needed by our youth of California.

Response to Comment #4:
Single Subject Teaching Credentials in Physical Education, including supplementary authorizations in Introductory Physical Education (added to teaching credentials predominantly used in secondary schools) or Physical Education (added to teaching credentials predominantly used in elementary schools) initially issued on or after January 1, 1981 do <u>not</u> authorize the holder to teach health education [reference Title 5 of the California Code of Regulations section 80004(b)(3)].

Education Code section 51225.3(b) allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study for high school graduation in <u>any</u> subject area. This is a permissive section of the Education Code. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in Education Code section 51225.3(b) is a local level decision. The proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses.

814. Lyn B. Kalinowski, Adapted Physical Education Specialist
Comments:
This letter EXPLAINS WHY IT IS EDUCATIONAL UNSOUND for the modifications to be approved to the proposed amendments:

- Those who are Qualified to TEACH Physical Education are required to have a college degree AND Teaching Credential because to teach they need the course in college which will:
  (1 Educate them in appropriate teaching techniques.
  (2 Educate them in classroom management techniques, which work for Physical Education.
  (3 Educate them on organizational skills so they know how to manage students AND equipment in a non-structured outdoor environment.
  (4 Education them in appropriate developmental progressions for their students (i.e. what does one do with high school student who have some motor skills that are still at the six to ten year old level?).
  (5 Educate them in the Developmental Stages of Learning, such as Piaget and the variety of ways in which students learn, such as Gardner's "Multiple Intelligences".
  (6 Give them courses in Physiology, Anatomy, Motor Development & Skills, Exercise Physiology, and Adapted Physical Education as well as VARIOUS LEARNING STYLES AMD *(sic)* LEARNING DISABILITIES. They HAVE BEEN TAUGHT and understand WHAT to teach, HOW to teach it, and How to *individualize* it for each student.

With these courses listed, the ***Qualified Teachers*** will avoid teaching inappropriate activities such as contraindicative exercises. Physical Educators need COGNITIVE, PHYSICAL, SOCIAL, AND EMOTIONAL *KNOWLEDGE* that they get from these college courses which educates them in the DEVELOPMENTALLY APPROPRIATE ways to teach Physical Education.

In proposing that ROTC be allowed to teach Physical Education is further weakening the California Educational System, which is ranked next to the bottom of the 50 states. But more important, THIS WOULD SHORT-CHANGE OUR YOUTH!
Our students deserve more!

Response:
A degree major in Kinesiology or Physical Education is not required for issuance of a Single Subject Teaching Credential in Physical Education. The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.
One of the requirements for a DSSS Teaching Credential in BMD or ROTC is a minimum of four years of military service and issuance of the clear credential requires completion of a Commission-approved designated subjects program and verification of two years of successful full-time teaching experience. The proposed requirements for the Special Teaching Authorization in Physical Education are possession of a DSSS Teaching

Credential in BMD or ROTC, satisfaction of the basic skills requirement, and verification of subject matter knowledge in Physical Education by passing the CSET for Physical Education or by completing a Commission-approved subject matter program in Physical Education.

815. Byron D. Karamchandani, RCP, RRT
Comment #1:
The proposed Title 5 Regulations exceed the level of power granted by the Legislature to the Commission on Teacher Credentialing (CTC) as the Legislature has not given the CTC authority to waive the baccalaureate degree requirement for the California Subject Examination Test (CSET) for any academic content area. The Legislature has never equated four years of work experience with the baccalaureate degree. The CTC has a **duty** to ensure that credential holders are appropriately assigned. Instead, the CTC is lowering credential requirements for only one of the content areas minimally required for high school graduation: physical education! The commission is attempting to add an academic authorization to a Designated Subjects Special Subjects (DSSS) credential by waiving the baccalaureate degree as a minimum requirement for the CSET.

Response to Comment #1:
The CSETs are examinations established by the Commission to satisfy the requirements of subsection (a)(1) of Education Code section 44225 for issuance of Multiple Subject and Single Subject Teaching Credentials; however, subsection (a) of Education Code section 44225 does not preclude the Commission from utilizing the CSET examinations for other credential types. In addition, there is no Education Code or Title 5 of the California Code of Regulations language requiring an individual to possess a baccalaureate degree in order to take a CSET.

Education Code section 44260.4 pertaining to the issuance of DSSS Teaching Credentials reads:

> *"The minimum requirements for the designated subjects special subjects teaching credential shall be appropriate to the special subject named on the credential, in accordance with the requirements established by the commission. Special subjects instruction may include, but shall not be limited to, driver education and training."*

The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Comment #2:
With this in mind I wanted to express to you just what goes into the academic side of actually becoming a physical education specialist. It is no longer just your grandparents PE class, our backbone for the program here at California State University Stanislaus, is based on the latest research in health and science classes. As a freshman, you are required to enroll in biology, chemistry, math (statistics), college English, and elective courses. The years after this become even more difficult as our major has become the Kinesiology Degree under the College of Education. After the basic science classes are met then we dwell into the more serious sciences, Anatomy, Microbiology, Physiology, Kinesiology, Exercise Physiology, Application of Sports Medicine, Food and Nutrition, Medical

Terminology, Supervision in Athletic Injuries, Prevention and Care of Athletic Injuries, Healthful living, General Psychology, Family Health Psychology, Adapted Physical Education and Motor Learning and Motor Development. For the teaching aspect of our degree, we are required to take Coaching classes, Theory and Analysis classes and Curriculum classes that include several observations from our local school systems at all grade levels. Just for example, I have previously taken Theory of Coaching Baseball, Theory of Coaching Volleyball, Theory and Analysis of Individual Sports, Theory and Analysis of Dual Sports, Theory and Analysis of Fitness Activities, Theory and Analysis of Team Sports, Foundations- History and Philosophy of Physical Education, and the writing class required for graduation Sport in Society.

Comment #3:
The point I'm trying to convey is if this goes into pass, and the JROTC are able to start teaching certain aspects of the physical education realm, then we began talks that can lead to a very slippery slope. My time at Stanislaus has taught me more than just what my transcripts read, they have led me to make great connections will *(sic)* school and city officials in our local community. Also they have led me to a great well rounded education that in a world that is advanced as the technology is beneficial in today's unpredictable economy. Being a great physical education instructor is more than just having students run laps, in *(sic)* encompasses the whole student as defined in the Physical Education Model Content Standards. If our professional succumbs to this cheap way out, then what will be the result of my hard work and dedication that have led me to my Bachelor's Degree in Kinesiology. I strongly urge you just to weigh the pros and cons of this situation and I stress you think about us, **California's Future Teachers**, until then… stop this process.

Response to Comments #2 and #3:
A degree major in Kinesiology or Physical Education is not required for issuance of a Single Subject Teaching Credential in Physical Education. The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

In California, subject matter preparation programs for prospective teachers are not the same as undergraduate degree programs. Post-secondary institutions govern academic programs that lead to the award of degrees. The Commission sets standards for academic programs that lead to the issuance of credentials and a degree may be in a subject other than the one to appear on the credential. Similarly, degree programs for undergraduate students may or may not fulfill the Commission's standards for subject matter preparation.

816. Cindy Lederer, Physical Educator
Ms. Lederer submitted two similar letters dated April 12, 2014: one attached to a Response form dated May 1, 2014 and one attached to a Response form dated May 7, 2014. The comments included herein are from the letter that was attached to the Response form dated May 7, 2014:

Comment #1:
As the daughter of a US Air Force, career father and the spouse of a US Navy, career husband, I have the highest respect and thankfulness for the military, but ***I STRONGLY OPPOSE*** the commissions vote to put back the language in the following proposal (*Amendments to Title 5 of the California Code of Regulations Pertaining to Designated Subject Special Subjects Teaching Credentials*) at your recent April 10th, 2014 meeting.

The February 14th vote of 6 to 4 on this proposal, should of stood. By reversing your vote, you have just added to the growing list on how students may get out of taking Physical Education class:

1. ROTC and Basic Military Drill (this is just physical activity)
2. California Physical Fitness Test (just because you can pass 5 test means your fit?)
3. 16 year or older (not a good age to drop the ball on students health and fitness)
4. Medical (isn't this what adaptive PE is for?)
5. CIF (this is just physical activity)
6. C.S.E.T. test (an extreme joke and a slap in the face to the those real educators)
7. On-line classes (easy to cheat)

Response to Comment #1:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #2:
I object to the fact that the commission will let a student take JROTC and BMD to receive high school credit for Physical Education. For the reason that the JROTC and BMD educators happens to have a credential in PE also. That opens up "Pandora's box" Should we now say that any Physical Educator who has a Math credential may now give out Math credit. REALLY!!

Response to Comment #2:
It is not clear if Ms. Lederer is asking if a Physical Educator who also holds a Math credential may give Math credit for Math classes or for Physical Education classes. For either scenario, the comment is dismissed pursuant to Government Code 11346.9(a)(3) as it is not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments. The Commission does not have purview over Physical Education exemptions or high school graduation credit requirements and the proposed regulation amendments are not related to these topics.

Comment #3:
I would like the proposal that was item 3A on the Commissions agenda on April 10th to be revisited again at your June meeting. I will be attending that meeting.

Response to Comment #3:
The decision to restore the proposed language pertaining to the Special Teaching Authorization in Physical Education will be considered by the Commission at the June 2014 meeting.

817. Joseph Maizlish, Psychotherapist and Mediator
Comments:
Youths need teachers whose focus is entirely on their well-being and growth, not non-teachers who know they are indirectly serving their superiors and military organization.

Response:
The comments are dismissed pursuant to Government Code section 11346.9(a)(3) as they are not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments.

818. Ernest McCray, Retired Principal
Comments:
There are many fine P.E. Teachers in California. There is absolutely no need to supplant them with JROTC instructors.

Response:
Replacing Physical Education teachers is not the purpose of the proposed regulation amendments. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

819. Thomas L. McKenzie, Professor Emeritus, San Diego State University
Comment #1:
I am strongly opposed to the April 10, 2014 commission decision to restore proposed Title 5 California Code of Regulations (5 CCR §80037) language, stricken on February 14, 2014, for a Special Teaching Authorization in Physical Education (PE), Designated Subjects Special Subjects (DSSS) in Reserve Officers Training Corps (ROTC) and Basic Military Drill (BMD).

Response to Comment #1:
The decision to restore the proposed language pertaining to the Special Teaching Authorization in Physical Education will be considered by the Commission at the June 2014 meeting.

Comment #2:
Additionally, I strongly support the actions proposed in the letter (dated May 5, 2014) sent to you and the Committee by Heather Deckard, CAHPERD President.

Response to Comment #2:
Responses to Ms. Deckard's letter are provided in #2 in the organizational opposition section.

Comment #3:
The data are clear: **JROTC is NOT physical education!** Please see below for the abstract of the manuscript in press.

Lounsbery, M.A., Holt, K. Monnat, S., & McKenzie, T. L., (2014, in press). JROTC as a substitute for PE: Really? *Research Quarterly for Exercise and Sport.*

Response to Comment #3:
The abstract referenced in Comment #3 submitted by Dr. McKenzie is attached to his letter.

The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. The Commission agrees with the last sentence of the abstract that reads: "Policies and practices for providing substitutions for PE should be carefully examined." LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #4:
Meanwhile, there are not data in the scientific literature to substantiate the people proposed for the special credential can effectively instruct physical education in a manner needed to meet the health and physical activity needs of the children of California.

Response to Comment #4:
Title 5 of the California Code of Regulations section 10060 establishes the criteria for appraising the quality of physical education programs in senior or four-year high schools that California schools districts must follow. This Title 5 section does not fall under the purview of the Commission; however, the Special Teaching Authorization in Physical Education will not affect a school district's procedures when appraising the quality of physical education programs.

Comment #5:
I am offended that Physical Education, which already holds very low subject status in California, is being targeted—seemingly for expediency and political reasons. There is no more evidence that the proposed beneficiaries of the credential are capable of teaching Physical Education than they are of teaching math, reading, language arts, biology, etc. Why is Physical Education being further undermined?
It is time to go beyond the politicking and get on with providing quality physical education to our children.

Response to Comment #5:
Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that

they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

820. Corey S. Miller, Physical Education Teacher
Comments:
I am writing in opposition to the proposed amendments to the Title 5 of the California Code of regulations that waives JROTC and basic military drill from the PE credentialing requirement. As a physical education teacher in public schools for over 20 years, I am appalled by these proposed actions.

1. I have had so much schooling. Bachelors, Masters, Credentialing. How can you just put in someone who is not trained in the subject matter. It is like putting a scientist in a science class, just because they know science doesn't mean they can teach it.
2. ROTC doesn't teach to the standards. You mean to tell me the officers are going to teach aquatics, dance and gymnastics. I think not.
3. Over the years these officers had have ample opportunities for professional development, but have declined.

It is bad enough that some school districts do not have elementary PE specialists. It is offensive in that our children are obese and are only required to take 2 years of high school PE. We need to save the next generation. An act such as the one being proposed will set us back even further. I urge you to fight against ROTC.

Response to Comment #1:
A degree major in Kinesiology or Physical Education is not required for issuance of a Single Subject Teaching Credential in Physical Education. The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

One of the requirements for a DSSS Teaching Credential in BMD or ROTC is a minimum of four years of military service and issuance of the clear credential requires completion of a Commission-approved designated subjects program and verification of two years of successful full-time teaching experience. The proposed requirements for the Special Teaching Authorization in Physical Education are possession of a DSSS Teaching Credential in BMD or ROTC, satisfaction of the basic skills requirement, <u>and</u> verification of subject matter knowledge in Physical Education by passing the CSET for Physical Education or by completing a Commission-approved subject matter program in Physical Education.

Response to Comment #2:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA

to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Response to the remaining Comments, including #3:
The comment is dismissed pursuant to Government Code section 11346.9(a)(3) as it is not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments.

821. Michael Muscare, LAUSD Teacher
Comments:
Physical education is a right and a necessity, according to the California legislature, the California Court of Appeal and the people. Public school students are entitled to physical education taught by a credentialed and qualified physical education teacher to promote academic performance and health. JROTC is not Physical Education. It does not provide access to the California PE Standards that all students should have access to.

Students Are Entitled to Quality Physical Education, Not BMD and JROTC

Conclusion
For the reasons stated and under the authorities cited above, the Commission should reject the proposed special teaching authorization in physical education for BMD and JROTC.

Response:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

822. Gilbert Robledo, Retired College Professor
Comments from Commenters 822 and 823:
Keep the standards as they are. We believe this is a proposal to empower one special interest group. It should <u>not</u> change.
Response:
The comment is dismissed pursuant to Government Code section 11346.9(a)(3) as it is not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments.

823. Joy Robledo (*Refer to Commenter 822 for Comments and Response)*

824. Deborah Seliger
Comments:
The progressive educational steps physical educators take to become an expert in the field of physical education by means of obtaining a bachelor degree and completion of a one-year teaching credential program deserve recognition and acknowledgement. To allow JROTC instructors the opportunity to teach physical education classes without the proper training and education would deprive California students of a quality physical education program. Unfortunately, four years of military service and ROTC instructor training does not equate to a bachelor's degree and an additional year of education dedicated to pedagogical practice of physical education. Furthermore, many, if not all, physical educators receive their bachelor's degree in kinesiology or physical education. To obtain said degree requires a breadth of studies such as anatomy, physiology, exercise physiology, measurement and assessment in physical education, curriculum in physical education, secondary and elementary pedagogy, among others. The units required to obtain a degree in kinesiology is only the tip of the teaching iceberg. After a four-year degree is obtained, prospective physical educators must spend an additional year in an accredited teaching credential program. Throughout this extensive program, prospective teachers take thirty units of teaching courses as well as participate in a year-long student teaching program where students are designated to a local high school or middle school and teach actual classes. During the student teaching process, candidates receive feedback from cooperating teachers in their field of study and are also reviewed and observed by a University representative who has a large influence on whether or not the candidate receives a teaching job after completing the credential program.

I respectfully request that you vote to disagree with the modifications to restore proposed Title 5 California Code of Regulations (5 CCR §80037) which were approved by vote on April 10, 2014, and to restore the decision of February 14, 2014 to strike the Special Teaching Authorization in Physical Education (PE), Designated Subjects Special Subjects (DSSS) in Reserve Officers Training Corps (ROTC) and Basic Military Drill (BMD).

Response:
A degree major in Kinesiology or Physical Education is not required for issuance of a Single Subject Teaching Credential in Physical Education. The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

In California, subject matter preparation programs for prospective teachers are not the same as undergraduate degree programs. Post-secondary institutions govern academic programs that lead to the award of degrees. The Commission sets standards for academic programs that lead to the issuance of credentials and a degree may be in a subject other than the one to appear on the credential. Similarly, degree programs for undergraduate students may or may not fulfill the Commission's standards for subject matter preparation.

One of the requirements for a DSSS Teaching Credential in BMD or ROTC is a minimum of four years of military service and issuance of the clear credential requires completion of a Commission-approved designated subjects program and verification of two years of successful full-time teaching experience. The proposed requirements for the Special Teaching Authorization in Physical Education are possession of a DSSS Teaching Credential in BMD or ROTC, satisfaction of the basic skills requirement, and verification of subject matter knowledge in Physical Education by passing the CSET for Physical Education or by completing a Commission-approved subject matter program in Physical Education.

825. Richard Thiel, Biological Technician, Sequoia National Park
Letter signed by Commenter 825 includes the same comments as Commenter 813 and the additional comment below:
P.S. I believe this needs another look, to make sure that, in our right desire to help those in the armed services, that we do not go beyond a reasonable level of assurance that we are giving the best to the well-being and growth of our youth, as have those that have dedicated their lives to it.

Response to Additional Comment:
The decision to restore the proposed language pertaining to the Special Teaching Authorization in Physical Education will be considered by the Commission at the June 2014 meeting.

826. Margaret Thomas
Comment #1:
The CCTC has recently changed a previous decision (February 14, 2014) in regards to Title 5 language to allow a *Special Authorization in Physical Education* for JROTC. **I AM OUTRAGED**. I vehemently object to this change for the following reasons:
- The CCTC has exceeded its power granted by the Legislature to the Commission on Teacher Credentialing
- The CCTC does not have the authority to waive the baccalaureate requirement to take the CSET for any academic content area

Response Comment #1:
Education Code section 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials. The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

The CSETs are examinations established by the Commission to satisfy the requirements of subsection (a)(1) of Education Code section 44225 for issuance of Multiple Subject and Single Subject Teaching Credentials; however, subsection (a) of Education Code section 44225 does not preclude the Commission from utilizing the CSET examinations for other credential types. In addition, there is no Education Code or Title 5 of the California Code of Regulations language requiring an individual to possess a baccalaureate degree in order to take a CSET.

Comment #2:

- This change will lower the credential requirements for this one content area

Response to Comment #2:
The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Comment #3:

- DSSS credential holders will be allowed to teach Physical Education in ROTC and BMD without possessing the following: 1) a baccalaureate degree, 2) English Learner (EL) certification, 3) technology competency, and 4) a subject specific pedagogy course

Response to Comment #3:
Education Code section 44260.4 authorizes the Commission to establish the minimum requirements for and special subjects to be named on DSSS Teaching Credentials. The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Although the proposed regulations do not include an EL authorization for the preliminary DSSS Teaching Credential, the proposed regulations do require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] that will result in the addition of a Specially Designed Academic Instruction in English (SDAIE) EL authorization at the time the clear credential is issued [reference subsection (d)(2) in the proposed regulation text].

Local governing boards may require an individual to hold a clear DSSS Teaching Credential with the SDAIE authorization prior to employment or request issuance of a CCSD Variable Term Waiver to authorize the instruction of English learners while an individual holds a preliminary DSSS Teaching Credential. In addition, holders of preliminary or clear DSSS Teaching Credentials have the option of earning a Clear CLAD Certificate or adding an English learner authorization to their documents by completing a CTEL program or passing the CTEL examinations (reference Title 5 of the California Code of Regulations section 80015).

Current Education Code and Title 5 of the California Code of Regulations language authorizes the Commission to issue preliminary Single Subject Teaching Credentials without an English learner authorization to teachers credentialed outside California as follows: credentialed in another state – Education Code section 44274.2 and subsections (a)(1) and (b)(1) of Title 5 of the California Code of Regulations section 800413.3 (out-of-state credentialed teachers must earn an EL authorization to qualify for the clear credential); credentialed outside the United States – Education Code section 44275.4 (teachers credentialed outside the United States are <u>not</u> required to earn an EL authorization to qualify for the clear teaching credential).

The proposed regulation amendments require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] to qualify for the clear DSSS Teaching Credential and Standard 11 addresses the uses of technology in the classroom. Local governing boards may require an individual to hold a clear DSSS Teaching Credential, confirmation from an approved program sponsor that the holder of a preliminary DSSS credential has completed Standard 11, or passage of the Preliminary Educational Technology Test prior to designating an ROTC or BMD class as eligible for Physical Education graduation credit pursuant to Education Code section 51225.3(b).

A specific subject pedagogy course is one of the requirements to earn a Single Subject Teaching Credential under the provisions of Title 5 of the California Code of Regulations section 80499. The authorization of the proposed Special Teaching Authorization in Physical Education is not equivalent to the authorization of a Single Subject Teaching Credential in Physical Education. The authorization of the proposed Special Teaching Authorization in Physical Education is limited to physical education courses in basic military drill and physical fitness.

Comment #4:

- It is the job of the CCTC to uphold the teacher preparation standards across all content areas

Response to Comment #4:
Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of EC §51225.3(b).

Comment #5:

- Data posted on the Web site for the Centers of Disease Control and Prevention, indicate that each of the **nine states** that allow PE credit to be waived for JROTC has a higher obesity prevalence rate than California

Response to Comment #5:
This comment assumes facts that have not been presented to the Commission. No data has been provided to the Commission to indicate that the direct or indirect cause of the higher obesity prevalence for the nine states is the physical education exemption for JROTC participation.

Comment #6:

- Research has been provided to the CTC that more activity time is provided in physical education than in JROTC

Response to Comment #6:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses.

LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #7:

- Declining enrollment in an elective subject area is not sound education rationale for submitting a proposal to lower credentialing standards for a mandated subject content area

Response to Comment #7:
The rulemaking documents include the following statement regarding the benefits of the proposed regulation amendments:

> *"The Commission anticipates that the proposed amendments will benefit the welfare of the students attending public schools in the State of California by creating a Special Teaching Authorization in Physical Education that LEAs may potentially use in conjunction with EC §51225.3 to grant physical education high school graduation credit for basic military drill and physical fitness training courses taught by holders of Designated Subjects Special Subjects Credentials in BMD and ROTC, thereby increasing the students' course options."*

The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. LEAs that choose to grant physical education high school graduation credit for basic military drill and physical fitness training courses taught by the holder of a DSSS credential with the Special Teaching Authorization will provide students with additional course options to satisfy the prescribed physical education high school graduation requirement. Such options may provide the enrollment numbers for continuation of JROTC programs in California public schools.

Comment #8:
For 40 years Physical Education has been marginalized by the state, by LCE's, and now the CCTC. We have solid, California Department of Education *approved*, content standards. Forty percent of these standards are cognitive based. We do not need these standards to be compromised, diminished, or reduced in any way. Taking any action that can allow a board of trustees to marginalize a critical area of a student's education is outrageous. I work in a district that has for the last 35 years violated the Ed. Code without repercussion. The elementary school district that feeds into ours, has actually reprimanded teachers for providing Physical Education time to their students. This same district at one point in time told their principals and teachers that they didn't need to administer the *state mandated fitness testing.*

Comment #9:
The commanders of JROTC can quote all the benefits of their program, but the bottom line is the instructors will not have the credentials or the time to devote to the standards they are supposed to be teaching. The same can be said for athletics, but at least athletic

coaches recognize they have plenty to teach in their specific sport and no time to devote to standards. *Physical activity* does not equal *Physical Education. Physical fitness* does not equal the *Physical Education Standards.* One of the JROTC instructors in our district has referred to our students (his students) as "beached seals." Is that the way we want our children to be referred to? Is that an educationally sound environment for our students?

Response to Comments #8 and #9:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

Comment #10:
Do not be pressured by politics. Do not base your decision on your experience as a student in Physical Education – it's outdated, and do not base your opinion on the mistaken need to provide student opportunities in JROTC at the expense of another critical part of a student's education. Students can take JROTC. They should not get credit in another subject area that is acknowledged as part of the common core.

Response to Comment #10:
The comment is dismissed pursuant to Government Code section 11346.9(a)(3) as it is not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments. The Commission does not have purview over high school graduation credit requirements and the proposed regulation amendments are not related to this topic.

827. Armando R. Valenzuela
Comment #1:
I wholeheartly *(sic)* disagree with the modifications to the proposed amendments for several reasons. My wife is a physical education teacher and my son attends the local school district in Los Angeles County. In high school, Marching band and JROTC already teach course that allow some students to take JROTC and the course is drastically different than the physical education course. They do not do fitness in a rigorous fashion. The students do not learn social dances, gymnastics and tumbling and aquatics. The content knowledge is obviously different. Why would you want to call physical education credit to both courses when they are clearly different?

Response to Comment #1:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education

Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Comment #2:
As much as a *(sic)* value my freedom and as much as I am very supportive of our armed forces, I am not in favor of having military biased curriculum in our schools. It teaches all military drills along with following orders and understanding the rankings, and chain of commands. Clearly, students taking part on this program will be guided towards military since those are the skills and knowledge they will learn and possess. My nephew learned to swim and self defense in his regular physical education class. As a 20 year old, he decided to be part of the elite team in the Air Force. His swimming and combative skills, as well for a passion to serve led him to be in training for special unit in the Air Force. JROTC did not play any role in his decision to serve. I do not see the need to have JROTC programs in schools. I know this is a larger issue, but it is related.

Comment #3:
I know of a few neighbors who were in the JROTC program and realized they did not like it. They were quickly moved to physical education where the numbers in the physical education class increased while the student numbers in the JROTC remained low. This creates a clear problem for physical education teachers and the program as a whole. Physical education teachers teach the bulk of the students while JROTC classes are drastically smaller.

Comment #4:
Most importantly, it does not make any sense that you are granting JROTC instructors the right to receive a special credential to teach a course that is not quality physical education but provide it physical education credit. Where is the logic in that? You are undermining the credentials of all physical education teachers in the state by doing this. It is a slap in the face to my wife who works very hard to make sure that students are learning to enjoy movement and become lifelong learners.

Response to Comments #2, #3, and #4:
The comments are dismissed pursuant to Government Code section 11346.9(a)(3) as they are not specifically directed at the proposed regulation amendments or the procedures followed by the Commission in proposing the amendments.

Comment #5:
I ask that you do not authorize the amendment to the Title 5 of the California Code of Regulations and leave it as it is. I am not sure why it would be re introduced when clearly it was already voted down in February of 2014.

Response to Comment #5:
At the April 2014 meeting, the Commission voted to restore the language pertaining to the Special Teaching Authorization in Physical Education to the proposed regulations following oral presentations that clarified several potential misunderstandings as follows:

1) *The Commission does not have the authority to decide if JROTC or BMD courses may be awarded high school graduation credit in the area of Physical Education.*

The authority to designated ROTC and/or BMD courses as eligible for high school graduation credit in Physical Education rests with governing boards of California LEAs as provided in Education Code section 51225.3(b);

2) *The proposed authorization would allow ROTC and BMD credential holders to demonstrate a higher level of preparation (by satisfying California's basic skills requirement and verification of subject matter knowledge in Physical Education) and have that preparation recognized on their credentials through issuance of the Special Teaching Authorization;*
3) *The proposed authorization would serve as an incentive for ROTC and BMD credential holders to become better prepared to teach Physical Education in the context of a JROTC or BMD course, if such a course is approved for Physical Education credit by a local governing board.*

828. Penelope Venola, Credentialed Educator
Comments:
This regulation does not meet the minimum credential standard set by Education Code. It lowers teacher preparation standards for academic subject areas and physical education, already minimally required for high school graduation.

The baccalaureate degree is the minimum standard for a basic teaching credential. Four years of military experience does not a qualified teacher make.

This denies students access to qualified teachers and flies in the face of reversing our current obesity crisis in young people.

It makes a mockery of those qualified physical education teachers who have met all the requirements for a teaching credential.

It isolates the ROTC instructor from the cooperative atmosphere essential to a well-run school

Response:
Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

Title 5 of the California Code of Regulations section 10060 establishes the criteria for appraising the quality of physical education programs in senior or four-year high schools that California schools districts must follow. This Title 5 section does not fall under the

purview of the Commission; however, the Special Teaching Authorization in Physical Education will not affect a school district's procedures when appraising the quality of physical education programs.

829. Megan Watanabe, Adapted Physical Education Teacher
Comments:
I'm writing to voice my concerns about the regulatory action for the June CTC meeting. The proposal to amend Title 5 to establish a special physical education authorization for holders of Designated Subjects Teaching Credentials in Basic Military Drill and Reserve Officer Training Corps should not be approved for the following reasons:
- Basic Military Drill and JROTC courses have objectives that are vastly different than the objectives for physical education. While *physical fitness* is indeed a component of JROTC coursework, the learning skills, knowledge, and dispositions required to be physically active across the lifespan are absent in the JROTC curriculum. We have never seen a course that meets the objectives of JROTC *AND* physical education and includes all eight content areas.
- The *Physical Education Content Standards for California Public Schools, K-12* affirm that participation in physical activity is not the same as physical education.
- JROTC does not provide students the opportunity to learn the content in the *Physical Education Content Standards for California Public Schools.*

The children and youth of California depend on CTC to make decisions that will provide them with well-prepared and exceptionally qualified teachers. Adding an authorization to teach physical education to the Designated Subjects Teaching Credential in Basic Military Drill and JROTC will not prepare our students to achieve their highest potential.

Response:
The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Oral Comments Received at the June 2014 Commission Meeting in Support of the Modifications:

1. Jenny Teresi, Human Resources Administrators for Riverside and San Bernardino Counties
Comment: I'm here to speak in support of the proposed regulations. Our districts are, of course not all of them, are in agreement on any issue, ever. But many, many offer PE credit for ROTC. They welcome the opportunity for these teachers to demonstrate their knowledge, skills and abilities. That's another way of providing information for boards in order for them to make an informed decision on whether or not to offer this type of credit for ROTC, or marching band, or many other types of courses when they look at what the needs are in their region, in their district. What's going to keep these kids in school. You know, they're wrestling with some very tough issues, so, they like, it remains a local control issue, of course, but they do welcome the opportunity for teachers to be able to add on to their skills and abilities and demonstrate their knowledge.

2. Teri Burns, California School Boards Association
   Comment: In the absence of Mr. Gephart, who is on vacation from ACSA, ACSA has asked me to remind you of their letter of support as well. CSBA very much supports the revisions. We believe that this is an opportunity, not only to inform school board members about the qualifications of ROTC instructors, but also to help us leverage with the military departments that we're dealing with to get these higher trained instructors into our classrooms. We appreciate that this does not move beyond or restrict in any way the authority of local boards. Very much a local decision on this, but we appreciate the additional information to make those good decisions. Likewise, I know it's been referenced several times, you've had a lot of negative comments. The comment period this time was for people opposed to what was out in front of us. CSBA, for example, did not send in a comment because we are very much in support.

3. Brigadier General Matt Beevers, Deputy Adjutant General of the California National Guard
   Comment: I'm here in support of the proposed amendments. We believe that these amendments will further ensure that Basic Military Drill and JROTC instructors meet actually the higher standard of content knowledge required for physical education and it will also enable local educational agencies to exercise discretion in regarding the assignment of physical education credits for these courses. Again, we urge the Commission to adopt the proposed amendments.

4. Mark Ryan, California Cadet Corps
   Comment: As a teacher, I'm going to take a teaching moment and say that, if you all were members of a school board, you would be faced with questions that you have to answer, including, "Should we give credit to course like JROTC and the California Cadet Corps?" That question is being asked and answered at the local level right now. In order to answer that question, you probably need two answers. You need to know, "Is the curriculum aligned with the California PE standards?" and "Is the person who's going to be delivering that curriculum qualified to do that?" The first question is not at issue here today. You, as a school board, would decide. You'd look at the curriculum and decide, "Yes, it matches;" "No, it doesn't;" "Yes, it's aligned;" "No, it's not." But the second question is what's at stake here today. Do you know that the teacher that's been assigned to teach that course, if you decided that the curriculum is in fact aligned to California PE standards, do you know that that teacher has the requisite knowledge and skills? This is only about whether or not the teacher has the requisite knowledge and skills. And, all the folks that have spoken in opposition, especially folks that have said, "Well, this is about having a bachelor's degree or not having a bachelor's degree." Those are questions and issues that, while they may be very valid and important, they're not at the root of what we're talking about here today. The question is, "Does that teacher have the necessary PE content knowledge?" and passing the CSET, all three CSET tests, is what demonstrates that content knowledge. So, the scope of what you're being asked to approve today is simply that you're providing a way for a local school board to know whether or not a JROTC or a California Cadet Corps instructor has passed the CSET in PE. That's all that this authorization does. It doesn't change anything else about what local school boards do.

5. Dan Sebby, Vice President, Northern Chapter of the Association of the United States Army
   Comment: The Association is a professional association that represents over one million members of the Army, active duty, National Guard, and reserve as well as ROTC cadets

and civilian employees. It is the Northern California Chapter's position that we support the proposal and I should also note that I am an alumni of the California Cadet Corps.

6. Cadet Lieutenant Alysa Tuason, Commanding Officer, Mar Vista Navy JROTC
Comment: I am in support of Item IH. I have many cadets who wish to remain in ROTC but without this credit these cadets who wish to stay can no longer be in this program. ROTC benefits these cadets to improve on their characters, motives, and to push themselves through physical health. NJROTC not only instills moral values and good public standings it teaches students to be participating citizens within their community. They learn to physically and mentally step out of their boundaries so they can not only improve themselves but their environment the around them. NJROTC has given cadets not only physical endurance but also educational opportunities such as scholarships. One of my fellow cadets received ½ million dollar scholarship for ROTC, I think it's the academy. NJROTC has a huge impact on my life in many levels. Without this credit I am afraid that other cadets will no longer have the same opportunities I had and if there are any questions about how instructors teach or what we learn or what we do feel free to ask because we are open for any questions.

7. Cadet Colonel Carlos Lovato, California Cadet Corps
Comment: My name is Cadet Colonel Carlos Lovato and I am in support for the proposed changes and I yield, if I could, any remaining time to Colonel Mark Ryan.

(Chair: he's already spoken so if you have something to say feel free to say it.)

One of the things that I keep hearing is it's difficult for a student to understand the difference between physical education and physical activity. In reality, a student does know the difference. The physical activity, just coming from going outside and playing. The physical education, coming from actually knowing one's body. I, for example, I feel horrible today because I know that I am not in the greatest physical shape yet I learned that from the Cadet Corp. I learned that from seeing others push themselves to become better. I learned that from myself becoming an example of always trying to become better. And when I was in my physical education class, I would see people who just didn't care about themselves yet instructors were trying to make them care while in the Cadet Corps, by creating a connection with them, they actually do make you care. That is why I am really in support for this.

8. Michael Sims, California Cadet Corps Junior ROTC
Comment: I am in support of this change. As somebody that works for three different school districts I've seen the changes, I've seen the different PE's I've seen the different ROTC instructor types and when you see the actual physical activity that they are actually participating but when you look at the PE department , no offense to these people they are really great people, but when you have half of them sitting down on the numbers because they really don't want to do anything, you know the difference is that you actually see the students participating in basketball, baseball, or whatever the game is or whatever the function is. So all I can say is I am in support of it.

9. Mary-Jean Stevenson, California Cadet Corps
Comment: I am a Commandant Assistant and as a veteran educator and parent I am in support of this item. I've had the opportunity as a Commandant Assistant to teach CACC as a substitute teacher at three different districts and the qualifications for ROTC and CACC instructors is a minimum of a bachelor's. The CACC and ROTC encompasses in-depth wellness and health content with physical activities and not just drill.

10. Dusty Carriollo, Parent
I am a parent supporter and in support of this amendment as well. Myself, being a parent of a child who has special needs and has bene through the ROTC program I am greatly in support of it because when you have a child that is autistic and who has other issues and you have a program that motivates that child to want to get up and move and be a part, socialize, and learn team work, learn organizational skills as well as physical education that that child was not getting in the regular PE class you want to make sure that this kind of program stays alive. My other child as well who is categorized as obese is also looking towards joining because she is not receiving what she needs through the PE program. I have had both of my children come home upset because they are being teased, they are being bullied and nothing is being done in the PE class. The teachers are not stepping up to their responsibilities and it's the children that are suffering. I feel that it should go through because as long as these programs are alive for these children they have options and better ways to get motivated, get moving, get organized, learn the socialization skills, team work and organizational skills that they desperately need.

11. Cadet Major Luke Buzzelli, California Cadet Corps
Comment: I support the changes to Title 5 regulations. I'd like to share my standpoint as both a student and a cadet. In physical education, and no disrespect to any of the great physical education programs I've been hearing about, but more often than not students will do nothing more than walk the track, sit in the bleachers or goof off with friends. In the Cadet Corps, however, I personally the physical training exercise and not only is everyone actually exercising but they are actually willing and enthusiastically exercising and that is not something that can be said for most PE courses. The California Cadet Corps, I would go so far as to say, far better accomplishes the goals of physical education classes by providing exercise opportunities and encouraging health, wellness and fitness. I fully support these proposed changes the regulations.

12. Cadet Major Chloe Smith, California Cadet Corps
Comment: I am honored to serve on the California Cadet Corps State Staff as a Cadet Commander for the 2014-2015 school year. I fully support the proposed changes to these regulations. I would like to note the California Cadet Corps is not a way of getting excused from PE. Indeed, the California Cadet Corps does take a focus on developing young leaders of the state; however, physical fitness is one of the key principles that the California Cadet Corps teaches to these leaders. No cadet ever receives a pass on physical fitness just because they are enrolled in the California Cadet Corps. Rather, physical education is done within the class period and related to the physical education of a leader. If anything, this class teaches that in order to be a leader one must set the example and that is in a physical sense as well. A stress is placed on physical fitness and education and in our classrooms and it is furthering the development of leaders on the school campuses therefore, this decision being made today should not be seen as good versus bad, yet good versus great.

One thing I would like to say is that this is not a decision that just affects the adult realm of the California Cadet Corps, but more importantly the cadets themselves so I would like you to keep in mind the cadets that are being affected by this Commission and those who would not get to continue on their path and get to do the amazing things that I have accomplished in my cadet career without participating in a classroom environment.

13. Cadet Major Miguel Perez, California Cadet Corps
Comment: I am in support of this decision. I have been with the California Cadets for five years and I've realized how teachings and training within the physical education realm has affected myself and my peers and everyone else that's joined. Now, the teaching of the standards is coherent with the other physical education classes as we also build team sports and also teach you how to swim when the facilities are available and I've seen more on the instructor that's providing the instruction. Now the instructors that we have in the California Cadet Corps and JROTC and other basic military drill items, these are instructors that have as well as devoted their time and pretty much have done the physical education aspects that they've needed to and can easily teach us such as how we learn and can teach our subordinates. I believe that's more on the quality of the instruction that is given rather than just because you have this you can legitimately teach this because there are instructors that do have these bachelor's degrees and all the other requirements but yet don't fulfill this as people before me previously stated that students will be sitting around and not fulfilling the goals that physical education classes require and so that is why I am in support of this.

14. Cadet Karina Brandon, California Cadet Corps
Comment: I have been in the Cadet Corps three years and, ever since I've joined the program, my FITNESSGRAM scores have been going up. It's helped me stay motivated and keep on going and that is why I am in support of this.

15. Cadet Sergeant First Class Calvin Corpus, Incoming Staff Sergeant Major for the 301st Battalion of Cajon High School, California Cadet Corps.
Comment: I'm here today in support of item IH. To my knowledge, the basic military drill credential seems to yield in rigorous ways in regards to ensuring the high quality of physical education and activity. However, these standards and credentials that withhold these qualities between physical activity, physical education, and physical fitness is all in collaboration to one another. We believe that these will higher the standards in any program that seeks proper credentials to allow anything of the sort. We believe that those subjects found in the cadet corps and the JROTC program such as physical education leads into the physical activity in question. Applying the knowledge of that education and in turn helping the physical fitness of students in the cadet corps or JROTC program. It motivates what they see in their own performance and helps encourage others upon participation. I've observed this personally from encouragement of connections to their fellow peers and commandants. I support these changes to regulations in the JROTC and drill credentials.

16. Cadet Captain Patrick Perez, California Cadet Corps
Comment: I'm in support of this bill. The reason why I support this bill is because statistically, cadets in JROTC and cadet corps over the past ten years have dramatically better FITNESSGRAM results than students in PE. This is in the area of pushups, sit-ups, the mile run, pacers, pull-ups and anything that involves physical activity. And by saying

that we need this extra credential even though that PE teachers need a bachelor's and they are really smart people they might not perform to the best of their capabilities and if we can't give PE credits to our students that are in cadet corps then we're not going to have many people that can join anymore and we need leaders in this world and our states and America really and imagine if we didn't have the credit with Governor Jerry Brown—he was in the California Cadet Corps and he's important as part of this.

17. First Lieutenant Andrew Roach, California Cadet Corps
Comment: I'd like to say that, as a leader, we have standards that to be, to go higher in the ranks, you have to have higher and higher FITNESSGRAM scores and you have to have to be able to pass the FITNESSGRAM and as a leader that allows you to push your subordinates under you to continue to higher their scores and them seeing someone their age that can pass the score motivates them to want to gain rank and want to pass the score and thus allowing them to gain a higher PT score because PT score being their FITNESSGRAM scores because in a regular setting it's, there's a PE teacher that tells them to do a sport but if there's no enthusiasm in the sport then not many people want to play and put their enthusiasm into the game thus their not improving. They are walking the track and it's not getting them anywhere. With their subordinates working together it helps the Cadet Corps and I highly support this.

18. Lieutenant Michael Chatman, California Cadet Corps
Comment: I'm here for three reasons. Number one I am a current college student working on my bachelor's degree to teach a program developing a military charter school so I'm getting the qualifications that I need to get that; Number two as a commandant, being that I am visually impaired I have more fun with my students in the recreational activities that we do in physical education because as a leader I am in the trenches if you will. I play the sports with the kids. I am not good at flag football, by no means, but I am out there running and doing flag football with my students. How many times do we see PE teachers doing that. Once again, no disrespect to PE teachers but we're taught in our courses to be proactive with our students not just to instruct and supervise. Thirdly I'm here as a former cadet and a former California high school student where when I was in high school I was thrown in adaptive PE and didn't do anything because of my visual disability. When I took cadet corps for PE credit I learned how to be a team player. I was urged to join a sports team and I learned to play wrestling as a blind competitor so I think this program is a very wonderful opportunity for our students and I am in full support and I urge the Commission to support and endorse this as well.

19. Sergeant First Class Angel Sagasta, California Cadet Corps Junior ROTC
Comment: I AM in support of item IH for the basic military drill and JROTC credential.

20. Ethan Davis
Comment: I'm an ex-JROTC cadet who acted as executive officer of Mar Vista's high school previously this year. Now I am embarking upon a career in the United States Coast Guard. What JROTC has taught me and bestowed upon me I cannot list with the allotted time that I've been given however, what must be understood is that this gathering is to discern the best for the students. They are the most important component of all of this therefore, I am strongly supporting this proposition for these programs, the JROTC and

Cadet Corps alike are what truly mold America's high school youth and they will forge our future for the better.

21. Emilio Martinez
Comment: I am a former Cadet at Mar Vista high school and I am currently enlisting into the United States Marine Corps. I was the physical fitness captain all four years and lead top competitive teams each year. Every class day in ROTC we have the first hour and a half doing sets of push-ups, sit-ups, running, and obstical training. The last hour of class usually consists of academic study involving military history, health and safety and nutritional guidelines. Regarding our physical fitness, cadets can do up to 80 sit ups, 50 push-ups and average in 7 minute mile runs. As a platoon everyone looked out for one another. Safety was instilled at all times because they knew how to assess situations and react effectively. It is difficult to learn the leadership and physical abilities taught through ROTC or Cadet Corps in a regular PE class if at all. I am in support of this motion and my name is Emilio Martinez.

22. Mariko Nakawatase
Comment: I am a former commanding officer for Mar Vista's NJROTC in San Diego California. I am currently a San Diego State Student in the Air Force ROTC program to continue my pathway for high education and a military career as well as I am a tutor for the south bay district. I am very much in support of items IH and the benefits that come from these programs. I've been able to be an advocate for credentialing for the PE credit for JROTC for the past two years and talked with students, staff parents and board members in gain of our support. As you can see there is an improvement with students in our program. You see that students are not only physically and mentally challenging themselves but learning more about the physiology of their bodies and how to take care of them. Thanks to JROTC I can say that I was a top ten female competitor for the state of California two years in a row. Thanks to JROTC I was able to compete in the Marine Corps Physical Fitness Regionals and make it to Nationals. Thanks to JROTC I was able to receive Presidential Awards and Scholarships for my physical excellence to help pay my way through school. Thanks to JROTC I was not only able to learn about the kinesiology and wellness of my body more than any PE or health class has ever taught me. I was taught how many laps I can run in PE whereas for ROTC I was taught life-long skills and physical fitness wellness ideals that will stay with me for the rest of my life. I trust that if you came to see the standards that JROTC instills within our students there is no question that they deserve this credit.

23. Darrin Bender, California Military Department
Comment: I've seen year after year the success of the Cadet Corps and Junior ROTC programs and the products that you've seen today are the output of these programs. This amendment is very important in order for these programs to survive and indeed thrive and for that reason I support the amendment.

Response to Commenters 1 through 23:
At the June 2014 Commission meeting, the Commission voted to approve inclusion of the Frequently Asked Questions *document in the rulemaking file and to approve the proposed regulations with the language pertaining to the Special Teaching Authorization in Physical*

Education and the additional language requested by Ken Burt, representing the California Teachers Association.

Oral Comments Received at the June 2014 Commission Meeting in Opposition of the Modifications:

1. Kathy Lynch, California Association for Health, Physical Education, Recreation and Dance
   Comment: I'm in opposition to this proposal. I've had the pleasure of representing CAHPERD at the Capitol for decades now and as a result have had the opportunity to increase standards in the legislature, professional development for teachers, develop and maintain physical education testing, and really improve the quality of health education in California. As a result, I've also had the opportunity over the last decade to witness this very proposal before the legislature. It has failed every time. It has failed because it lowers standards for teachers. It has failed because it hurts health education and physical education in California. This action is not only a lowering of the teacher credentialing standards, but it's also lowering the standards for the military instructors in California public schools. JROTC already has a process for obtaining a physical education teaching authorization. The California Cadet Corps has sidestepped these requirements. It's not necessary to lower the standards. They could raise theirs. The National Association of School Boards on page 28 of its document, Fit, Healthy and Ready to Learn, a school health policy guide states, "Because students learn essential knowledge and skills in physical education, enrollment in physical education classes may not be waived on the basis of participation in athletic programs, ROTC, or similar activities that provide physical activity but are not physical education." Also, the Center for Disease Control, also in its guidance document, indicates similar things. The CTC is leap-frogging the legislature on this issue. We would urge you to take a step back and realize that what you're doing has an impact beyond your jurisdiction on the health and well-being of California students on health education and it hurts all disciplines and it's a bad precedence.

   Response: The purpose of the proposed regulations is not to substitute JROTC courses for Physical Education courses. The proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. Whether the holder of a DSSS Teaching Credential in BMD or ROTC is qualified to provide Physical Education instruction for high school graduation credit is a local level decision under the provisions of Education Code section 51225.3(b).

2. Ken Burt, California Teachers Association
   Comment: It's always been my position that you have to speak truth to power. On behalf of the CTA and the other stakeholders, I'm respectfully requesting that the Chair and the CTC staff make every effort to be fair and allow others to present their view. One minute is aptly unreasonable. It is my observation and mine alone that this matter has been one-sided. I'm asking the Commissioners to ask hard questions and one of the techniques that has been used here, in my view is, the Chair has acted in a way that she frames the issue. I don't agree that the issue is how she frames it. In addition, when there's a wait after public speakers, questions get thrown back to staff that give a one-sided response. So, I'm going to ask the Commissioners, please feel free to call me up. I've been doing this 25 years here. Please feel free to call me up and ask for a response or from the other people who are here. Obviously, I'm going to appeal the Chair. I have some more remarks. Again, I want to protest that the process is unreasonable and I want you to really notice something here, really serious, Commission. There are 838 responses. 835 are opposed to this and an additional 30. 865 are opposed; three are in favor. On

behalf of the 325,000 teachers that I speak on behalf of who fund this Commission and who has sponsored the legislation, we are opposed.

Response: This was the third meeting at which interested members of the public gave oral and written comments on the proposed regulations. Oral presentations were limited to one minute to allow all interested members of the public time to present their comments. Prior to opening the meeting for oral comments, the audience was informed that speakers could cede their time to other speakers. In addition, the comments from the Commission Chair were to clarify the issues at hand in an effort to focus the oral comments. The Chair's comments on the proposed regulations did not prevent public comment. The Commission carefully considered all relevant comments (oral and written) prior to approving the proposed regulations.

3. Theresa Montano, California Faculty Association representing the California Teachers Association
Comment: I'm here to remind you that, to my knowledge in this discussion about this particular credential or authorization, excuse me, there's been no discussion about the potential state-wide impact on English language learners. If a larger segment of the high school students now receive PE courses and, while we're fully aware that the intern stuff will go to the district for review, we're also aware that your approval of this sends a message to a state-wide that we can move forward on these authorizations without considering the needs of our English language learners. That has not been your practice and we certainly hope that that's not going to be your practice in this regard. In 2012 when you approved the Special Class Authorization for the Speech and Language credential, you required that that credential aligned to the English authorization requirement for all those English teaching credentials. That doesn't seem to be the standard here. The question to you is, are you going to align the EL authorization for the holders of ROTC and the Basic Military teaching credential? And it's important to note, that while other designated credentials do fall under 1292, this one does not. So, in addition to all the concerns that 800-some odd folks are going to present on just the rigor and the quality of the teaching credential, all these gentlemen sitting behind me in nice military suits also need to be assured that their teachers have the same qualifications in JROTC that every single student has in California.

Response: Although the proposed regulations do not include an EL authorization for the preliminary DSSS Teaching Credential, the proposed regulations do require completion of an approved CTE program [reference subsection (b)(3) in the proposed regulation text] that will result in the addition of a Specially Designed Academic Instruction in English (SDAIE) EL authorization at the time the clear credential is issued [reference subsection (d)(2) in the proposed regulation text].

Local governing boards may require an individual to hold a clear DSSS Teaching Credential prior to designating an ROTC or BMD class as eligible for Physical Education graduation credit pursuant to Education Code section 51225.3(b) or request issuance of a CCSD Variable Term Waiver to authorize the instruction of English learners while an individual holds a preliminary DSSS Teaching Credential.

Education Code section 44253.11 was added by Senate Bill 1292 (Chap. 752, Stats. 2006) and amended by Senate Bill 280 (Chap. 345, Stats. 345). Education Code section 44253.11(a) reads:
"A teacher with a designated subjects teaching credential or a service credential with a special class authorization may enroll in a course that meets the minimum requirements of staff

development in methods of specially designed content instruction delivered in English, as described in Section 44253.3, 44253.4, 44253.7, or 44253.10."

The term "designated subjects teaching credential" as used in Education Code section 44253.11(a) does not preclude holders of DSSS Teaching Credentials from earning a CCSD. Holders of clear DSSS Teaching Credentials may complete an approved program to earn a CCSD, which authorizes the instruction of English learners in specially designed content instruction delivered in English in grades twelve and below and in classes organized primarily for adults.

Holders of preliminary or clear DSSS Teaching Credentials also have the option of earning a Clear CLAD Certificate or adding an English learner authorization to their documents by completing a California Teacher of English Learners (CTEL) program or passing the CTEL examinations (reference Title 5 of the California Code of Regulations section 80015).

Current Education Code and Title 5 of the California Code of Regulations language authorizes the Commission to issue preliminary Single Subject Teaching Credentials without an English learner authorization to teachers credentialed outside California as follows: credentialed in another state – Education Code section 44274.2 and subsections (a)(1) and (b)(1) of 5 California Code of Regulations section 800413.3 (out-of-state credentialed teachers must earn an EL authorization to qualify for the clear credential); credentialed outside the United States – Education Code section 44275.4 (teachers credentialed outside the United States are not required to earn an EL authorization to qualify for the clear teaching credential).

4. Chad Fenwick, Physical Education Advisor for Los Angeles Unified School District, President of California Association for Health, Physical Education, Recreation and Dance, and CDC Urban Physical Education Coalition for the United States
Comment: I'm against this amendment for many reasons, but the main one that I want to talk about is that I've heard it said here in this Commission that this will raise the standard and that is absolutely false. It will diminish it. Right now to teach physical education, and this was an Attorney General finding, that you must have a credential in that subject, you must teach the 400 minutes, and you must teach the eight content areas, and the students must be assessed in those areas. So, if JROTC instructors are teaching physical education right now, they must have that high standard. If we pass this, if you pass this, that is going to lower the standard. Right now, you have to have a bachelor's, you have to, hopefully in Kinesiology, in that subject matter. You must have the credentialing classes. You must pass all the subject matter tests. Right now, if you pass this, all of that will be diminished and you will not have, you will subside all of those things the teachers have to go into to ensure that the quality of instruction is there. These mandates were agreed upon by the Attorney General. Yes, the LEAs can decide which courses are physical education courses, but those three mandates ensure the quality of physical education instruction to those students. So it's important that this does not pass if that's, if we're really looking at the quality of instruction, then you cannot pass this.

Response: Local governing boards currently have the authority to designate ROTC and BMD courses as eligible for high school graduation credit under the provisions of

Education Code section 51225.3(b)(3) and that authority will continue whether or not the proposed Special Teaching Authorization in Physical Education is approved. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

In addition, there are a variety of local assignment options available in the Education Code, that are not exclusive to Physical Education, California local governing boards may utilize to assign teachers on a temporary basis that may be used in conjunction with Education Code section 51225.3(b). Local governing boards should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

5. Janice Herring, Department of Kinesiology Faculty, California State University, Stanislaus
Comment: In all of the rebuttal that CTC gave to the 835 comments in opposition, and I am in opposition too, to the amendments the rebuttal repeatedly brought these up as a viable alternative to subject matter preparation. However, the CTC oversees the accreditation of subject matter programs. You have specific contents areas that you require us to provide to our students. And, so, among those commentary, there were CSU faculty, there were CSU students, there were CSU administrators, there were Deans of college education who were opposed because the subject matter preparation is rigorous. It includes areas of exercise science, it includes pedagogy. An exam that's a knowledge exam, such as the CSET, in due respect even though that is the Commission's equivalent for subject matter or CSET in any subject matter area, I respectfully say that it is not equivalent. And there are, there's the PE Model Content Standards that we adhere to, dovetail wonderfully with the new Common Core that we are also to implement and I don't believe that that kind of preparation will happen for, with this amendment. The Common Core Standards of speaking and listening and also writing, they fit really well with our PE Model Content Standards and students that are currently in subject matter preparation programs in PE and continuing into their credentialing work, they are getting practice with that. They are getting practice with lesson planning. They are actually teaching those to their peers and when they have their field experiences as well teaching it directly to children and they know how to bring those into it as well. I would like an opportunity to respond if there are any other comments following my presentation.

Response: The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. <u>Passage</u> of the CSET in Physical Education may be <u>waived</u> by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

6. Cindy Lederer, Physical Educator, Fairfield-Suisun Unified School District and Solano County and Vice President of Physical Education for California Association for Health, Physical Education, Recreation and Dance

Comment: We would like to tell you a little bit about Solano County. We have three high schools in the county in three separate districts that have JROTC. One is Travis Unified School District. They have a program with the Air Force Aerospace and their credits go into a science elective. At Fairfield High School in my district, we have had Air Force ROTC since 1968 and they get elective credit. It's a four-year program and it's been running smoothly and well. In the Vallejo School District, they have a Navy program at Bethel High School and that is going well. These ROTC programs have been working well in these three districts. They're not getting PE credit. Their students, yes their students, their cadets come in and out to take their required PE credits, but it's worked well and I just wish that this agency and this Commission would not let subject matters compete against each other because it is my understanding that this agency is to uphold the standards of all subject matters. And, it's disappointing that, whether it be music, whether it be drama, whether it be, whatever, English, against science that one subject matter is able to come up with a proposal to weaken another subject matter.

Response: Education Code section 51225.3(b) allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study for high school graduation in <u>any</u> subject area. This is a permissive section of the Education Code. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7).

7. Patra Nesseth, Taxpayer, Retired Teacher, and Concerned Citizen
Comment: I taught for over 35 years and have a BS, master's work, California state teaching credential 7-12 Fisher and K-12 Single Subject, and CLAD classes and work. I paid for all my education, 20-30 hours per week of working, I took 15-15 units, and I worked in the summer and I'm wondering whose paying for their education. The taxpayers, military, citizens, the California Commission on Teacher Credentialing? Whose paying for all their credentials and so on? If you're subbing Junior ROTC for physical education, we want them to have those teachers to have all the credentialing and the things that we've had to go through. The students need to be taught the standards, framework, and Common Core for PE. We also need to have, they also need to have the CLAD and all the other bachelor's, credential, certificate that we had to have to teach physical education. It's not just marching and physical fitness. It's nutrition, health, teaching about nutrition, diabetes, and obesity, and so on. I'm not against Junior ROTC, but I am against subbing for physical education what, what they do for physical activity. And I want to make sure they're credentialed and have all the certificates and so on that we, as physical educators have to have.

Response: No response is provided for the comments asking who will pay for ROTC and BMD teachers' education, as that is not an issue included in the proposed regulations.

Single Subject Teaching Credentials in Physical Education, including supplementary authorizations in Introductory Physical Education (added to teaching credentials predominantly used in secondary schools) or Physical Education (added to teaching credentials predominantly used in elementary schools) initially issued on or after January 1, 1981 do <u>not</u> authorize the holder to teach health education [reference Title 5 of the California Code of Regulations section 80004(b)(3)].

Education Code section 51225.3(b) allows governing boards, with the active involvement of parents, administrators, teachers, and pupils, to adopt alternative means for completion of the prescribed course of study for high school graduation in <u>any</u> subject area. This is a permissive section of the Education Code. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). The decision by LEAs to choose to recognize the Special Teaching Authorization in Physical Education and use the option provided in Education Code section 51225.3(b) is a local level decision. The proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses.

8. Heather Deckard, Local Physical Education Coordinator, National Ambassador for Let's Move In Schools, National Ambassador for the National Alliance for a Healthy Generation, and Past President of California Association for Health, Physical Education, Recreation and Dance

   Comment: I came to you when this issue first came on your agenda and I'm here again to speak on this issue. I recognize that this authorization gives local control on this issue; however, this gives false legitimacy for supplanting. If you have looked at the Junior ROTC curriculum and the California state PE standards, it is impossible to teach all of the content together. PE teachers are already having a hard time meeting all of the standards with the given time allotted to them. In addition, if you look at the EC for PE minutes, PE must be taught 400 minutes every ten school days. Let's just take a look at that. Most schools, the time in high schools is 51 minutes, so let's just take 50 minutes. 50 times 5 is 250. If we take the 400 minutes, that's 200 minutes every week, that means there's only one class period that Junior ROTC will be able to teach their curriculum. This will only give Junior ROTC one day to teach their curriculum. This is still supplanting, not supplementing. Students have shown increase as related to increase in physical education minutes and proper nutrition versus the Lounsbery study that showed more physical education activity in PE than Junior ROTC. We need to educate the whole child in a collaborative approach. With this authorization, children will be denied an appropriate education in both areas: physical education and Junior ROTC. Physical education is more than just fitness. We teach children how to live a healthy lifestyle. If you look at the FITNESSGRAM results and achievement gaps, which is the paper that should be in front of you, it shows that black or African-American and Hispanic and Latinos scored low on the fitness test. And if you look at the state testing, they also scored low on the state test as well. These scores are not just about fitness. These scores represent a lifestyle, finding activities students can do for a lifetime that they can enjoy. It is about introducing a variety of ways to be active, whether you're leading an active lifestyle. I am opposed to this. Please, I beg you, oppose this as well.

   Response: The "Achievement Gaps" document referenced by Ms. Deckard is provided in Tab 26 of Binder 2.

   It is not within the purview of the Commission to evaluate courses offered in California's public schools for adherence to the Model Content Standards for California Schools, Grades K-12 for <u>any</u> subject area. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical

Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

Title 5 of the California Code of Regulations section 10060 establishes the criteria for appraising the quality of physical education programs in senior or four-year high schools that California schools districts must follow. This Title 5 section also does not fall under the purview of the Commission; however, the Special Teaching Authorization in Physical Education will not affect a school district's procedures when appraising the quality of physical education programs.

9. Joanie Verderber, County Office Education Administrator and California Association for Health, Physical Education, Recreation and Dance
Comment: I'm opposing these proposed regulations and the main thing is, this is not needed. Plan and simple, it's redundant. We already have all of the Education Codes and regulations that allow our local governing boards to have their local control. It's already there. You, the Commission, you collectively, have already set procedures on how someone with a bachelor's degree can get a Multiple or a Single Subject credential. The quality, the standards, are already set. In California, we already have exemplary programs where school districts, boards of education, make sure that their JROTC instructors have the appropriate credentialing. What this is going to do is lower the standards. You heard the information about the EL students. You, as a Commission, have instituted a requirement of pedagogy specific courses that need to be taken after someone passes the CSET. That action tells me that you recognize that just passing the CSET or an exam really and truly does not make one highly qualified. I ask you to oppose these regulations and to come back together, collaboratively. We're teaching our students 21st century skills, but what I've observed is that we're not doing what we're teaching. We did not have all of the stakeholders together at the table, we have not communicated, we have not collaborated. There is misinformation, there is confusion. Local control exists. Standards exist. People can get the appropriate credentials that they need. If you have any specific questions, I would be happy to answer them at the end of all of the input.

Response:
A specific subject pedagogy course is one of the requirements to earn a Single Subject Teaching Credential under the provisions of Title 5 of the California Code of Regulations section 80499. The authorization of the proposed Special Teaching Authorization in Physical Education is not equivalent to the authorization of a Single Subject Teaching Credential in Physical Education. The authorization of the proposed Special Teaching Authorization in Physical Education is limited to physical education courses in basic military drill and physical fitness.

Government Code section 11346.45(a) reads:

> *"In order to increase public participation and improve the quality of regulations, state agencies proposing to adopt regulations shall, prior to publication of the notice required by Section 11346.5, involve parties who would be subject to the proposed regulations in public discussions regarding those proposed regulations, when the*

proposed regulations involve complex proposals or a large number of proposals that cannot easily be reviewed during the comment period."

The proposed amendments to Title 5 of the California Code of Regulations section 80037 do not "involve complex proposals or a large number of proposals that cannot easily be reviewed during the comment period." The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

10. Claudia Wilde, Physical Education Teacher
Comment: I have been teaching physical education for 40 years. I have a Life credential. I don't know if you all know what that is. And I would like to ask the Chair if I can hand out my portfolio so people can look at some of the work I do. I gave out portfolios because the first question I get, I'm teaching middle school now, is, "Why do we have to do homework; it's PE? Let's go outside and play." And, so, I give them a worksheet and we discuss the difference between physical activity and physical education. And, lo and behold, at the end of the school year, they know there's a difference and the usually, generally say, "We learn things in PE. We do things in activities." So, they have a worksheet that they do this. I have paperwork from students that send me things at the end of the school year, "I've learned things in your class I would never've learned anywhere else. Like the proper way to throw a javelin and the proper way to jump a hurdle and the right way to go uphill. In conclusion, I appreciate the things you have taught me." We had the Olympics, we have some of the things, there's Olympic things they had to do. The kids had no idea where the country was and they did things like that. They had a portfolio on nutrition. The girls learned what to eat, what not to eat. The boys figured, "Oh, maybe shouldn't have so many Cheetos all the time." They learned things in physical education. They took quizzes. They learned things and that's the important thing. And the one thing at hearings like this, everyone saying, "Oh, yes, no answers. Seven period days. Let's go up to seven periods in a day. Let's go back to that, we used to have that. Make it go into other things like science. Let's have it in electives." There are ways to solve this so you can do both things, but physical education, and physical activity, and physical fitness are different and you really should not harm the children by allowing other things to take the place of physical education.

Response: (the referenced portfolio was returned to the Commenter at the conclusion of her oral presentation): The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

11. Arlene Inouye, Speech Therapist and Treasurer for United Teachers Los Angeles
Comment: Second largest local in the United States representing opposition from approximately 34,000 teachers and health and human service professionals and over 1,200 physical education teachers. And the reason for our opposition is very simple. That, as fully

credentialed PE teachers with the experience, knowledge, and practice of providing the full range and variety of lifelong physical activities for students to be physically active for the rest of their lives. That requires integrity and quality of the PE credentials that our brothers and sisters have earned. The students in Los Angeles and the students in California, more than ever in our history, need to be physically active. They must not be short-changed from a course of study for high school phys ed that includes a developmentally appropriate sequence of instruction in eight areas. They need those eight areas of instruction. We support the local decision to grant credit and the local responsibility to make sure students receive that, the two years, the PE framework based on the California frameworks and standards. As we know, JROTC students and the military have been brought here to support their program and it's a good thing and it's a positive thing that they feel good about it. But, the issue is not to pit PE against JROTC. There is a place for both in our schools. So, we urge you to oppose the amendment to the credential.

Response: The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

12. Daphne Hsu, Staff Attorney, The City Project
Comment: Thank you for listening to our concerns today. I'm here today for our students. I have the highest respect for our military service members; however, a special teaching authorization for physical education based on Reserve Officer training and Basic Military Drill is unnecessary. First, there is already an opportunity for students to have Reserve Officer training and Basic Military Drill. There's a Special Subjects teaching credential for ROTC and BMD. Second, students are entitled to a quality physical education. A special teaching authorization for physical education would undercut the rigorous requirements established by the state legislature. Physical education teachers must hold a baccalaureate degree. California Education Code section 44256 provides quote, "It is the intent of the legislature that standards, assessments, and examinations be developed and implemented for the following: 1) the preliminary teaching credential to be granted upon possession of a baccalaureate degree." The section goes on to provide additional requirements. A BMD or ROTC special teaching credential does not require a baccalaureate degree; only a high school diploma or equivalence. Even a special subjects credential in Driver Education and Training requires a baccalaureate degree. Please vote against this amendment.

Response: A letter from The City Project distributed at the meeting by Ms. Hsu is provided in Tab 26 of Binder 2.

Education Code section 44256, as referenced by the Commenter, broadly defines the authorizations for Single Subject, Multiple Subject, Specialist, and Designated Subjects Teaching Credentials. Education Code section 44257 establishes the authorizations for Single Subject Teaching Credentials and subsection (a)(11) specifies that Physical Education is one of the available subject areas. Neither of the aforementioned EC sections

specifies credential standards or state that Physical Education is an authorization exclusive to Single Subject Teaching Credentials.

Education Code section 44225(a), that included the language quoted by the Commenter, reads:

> *"Establish professional standards, assessments, and examinations for entry and advancement in the education profession. While the Legislature recognizes that the commission will exercise its prerogative to determine those requirements, it is the intent of the Legislature that standards, assessments, and examinations be developed and implemented for the following:"*

Subsection (a)(1) of Education Code section 44225 specifies the requirements for a "preliminary teaching credential" and is interpreted as pertaining to issuance of Multiple Subject and Single Subject Teaching Credentials, which are mirrored and expanded upon in Education Code section 44259. The CSETs are examinations established by the Commission to satisfy the requirements of subsection (a)(1) of Education Code section 44225 for issuance of Multiple Subject and Single Subject Teaching Credentials; however, subsection (a) of Education Code section 44225 does not preclude the Commission from utilizing the CSET examinations for other credential types. In addition, there is no EC or 5 CCR language requiring an individual to possess a baccalaureate degree in order to take a CSET.

Education Code sections 44260, 44260.1, and 44260.2 pertain to issuance of Designated Subjects three-year preliminary Career Technical Education (CTE), five-year clear CTE, and three-year preliminary Adult Education Teaching Credentials respectively, none of which pertain to issuance of DSSS Teaching Credentials. Education Code section 44260.4 pertaining to the issuance of DSSS Teaching Credentials reads:

> *"The minimum requirements for the designated subjects special subjects teaching credential shall be appropriate to the special subject named on the credential, in accordance with the requirements established by the commission. Special subjects instruction may include, but shall not be limited to, driver education and training."*

The current language provided in Title 5 of the California Code of Regulations section 80037 requires a minimum of four years of experience in the special subject to be named on the DSSS credential in lieu of a baccalaureate degree.

13. Betty Hennessy, Member of California Association for Health, Physical Education, Recreation and Dance and Association of California Administrators, National Board of National Veterans Organization

    Comment: We support supplementary activities. It's easy to be succinct to say we support; it is more difficult to be succinct. This is a very, very complex issue. Very complex and it's been very difficult for us to get the grasp on a lot of these issues, particularly BMD. As you are probably aware, each branch of the military for its JROTC has its own curriculum and its own requirements for its instructors. Some branches require a minimum of a baccalaureate and preferably a master's and many have doctorates. Others require at least an associate's degree. However, the Commission on Teacher Credentialing, for the DSSS credential, enters to the lowest common denominator which is a GED, high school diploma. I've taught at all levels; preschool through graduate work and we highly support,

we've worked with CSBA, on the…on wellness programs to bring everybody together to supplement through extra programs at schools. We support all supplementary activities that focus on physical activities. But, like the National Association of School Boards, not supplanting. But, what is BMD? Our Adjutant General for the Cadet Corps requires only a GED as we have understood it. To teach in California Cadet Corps, you have to have the BMD credential. When I called the Department of the Military to find out what is BMD, which you asked about. We thought, when we look at JROTC, it's marching and one of the military magazines said marching, like marching band. Very simple. Then we thought, well why is it stated that it will be a physical education curriculum in physical education courses in BMD? So, then we looked at the California Cadet Corps and we've been told this is only going to be high school. California Cadet Corps from the school, middle school cadets will receive physical education credit. This is a great alternative to take physical education. Look at the curriculum in front of you. I had to save an eight year old boy from the bottom of a pool because administrators, despite our warnings, said these other teachers said they knew how to swim. The problem was, the teacher at the deep end didn't know how to go to the bottom of the pool. Shortly after that, after I started at the county office, an ROTC person, a young man, died in a pool. This has aquatics on it and you're going to say that a person not appropriately prepared, you're not, you are putting our children's lives in danger and this needs careful, careful study.

Response: The proposed Special Teaching Authorization in Physical Education is not a complex issue. The authorization will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education.

It is not within the purview of the Commission to evaluate courses offered in California's public schools for adherence to the Model Content Standards for California Schools, Grades K-12 for <u>any</u> subject area. The LEA has full discretion of how their course of study is presented over the four years to include the eight areas in Education Code section 33352(b)(7). In addition, the proposed Special Teaching Authorization in Physical Education will not compel an LEA to grant high school graduation credit in Physical Education to ROTC or BMD courses. LEAs should consider all facts, with the active involvement of parents, administrators, teachers, and pupils, prior to exercising the permissive authority granted in Education Code section 51225.3(b) to grant high school graduation credit in Physical Education to ROTC or BMD courses.

14. Barbara Buckalew, Executive Director, California Association for Health, Physical Education, Recreation and Dance
Comment: After reading all the material submitted for this agenda item and, particularly, the sheet that has the Frequently Asked Questions, there are a few questions that members of CAHPERD feel should be considered and/or addressed by the CTC. With regard to question number 5, which is "Will the DSSS…Will all DSSS teachers be required to hold this proposed special teaching authorization." The question is, if these instructors do obtain the DSSS, how can we be assured they will only teach in the context of JROTC or BMD? With regard to question number 7, "Would holders of the special teaching authorization be allowed to teach regular PE courses?" How do you define what's regular and what is not regular? With regard to question number 8, "How can JROTC and BMD courses qualify

for PE credit?" The proposed language includes the phrase grades 12 and below. How can the Commission, no matter what the intent, make it mandatory that this authorization only be used at the high school level, rather than middle school or even lower at the elementary level? Obviously, I'm speaking in opposition of this regulation and I really hope that you will consider these questions and try to find some answers.

Response: The Special Teaching Authorization in Physical Education will be limited to the teaching of in basic military drill and physical fitness training, which are two areas that fall under the umbrella of "physical education." Holders of DSSS Teaching Credentials in BMD and ROTC are currently authorized to provide instruction in basic military drill and physical fitness training. The Special Teaching Authorization in Physical Education will allow the holders of DSSS Teaching Credentials in BMD or ROTC to verify to the public, parents, pupils, and their LEAs that they have satisfied California's basic skills requirement and possess the subject matter knowledge to teach Physical Education. Assignment monitoring by the employer, county office and the Commission will ensure proper assignment of individuals who earn the Special Teaching Authorization.

The use of the word "regular" in #7 of the Frequently Asked Questions referenced in 5.1 was meant to clarify that an educator holding a Special Teaching Authorization in Physical Education would not be authorized to teach traditional physical education courses.

The proposed Special Teaching Authorization will be valid for grades 12 and below, including preschool and classes organized primarily for adults. High school graduation credit is not granted for elementary or middle school courses.

15. Greg Payne, Associate Dean and Professor of Kinesiology, College of Applied Sciences and Art, San Jose State University
Comment: I was also a member of the State Superintendent Task Force on Childhood Obesity. And while we all knew of this epidemic, including the incredible financial impact of the disease, it took our Chairperson, a Cardiologist Dr. Barry Kaufmann, to remind us that obesity can be a devastating condition leading to stroke, heart disease, and an array of other diseases and, of course, personal and family suffering. We produced a white paper about obesity in California schools and the very first recommendation was to increase the quality and quantity of physical education, including monitoring achievement towards standards, including physical education as part of the core curriculum, and eliminating most exemptions from physical education. I was also an author of the national standards for physical education, grades K through 12. Those standards have been adopted or adapted by nearly every state in the nation, including California. The standards show us that physical education is far more broad-based than most people realize. It's not just physical training. Our standards include participating regularly in physical activity, developing physically literate individuals who have the confidence to enjoy a lifetime of physical activity. They include having the cognitive ability to benefit from the various types of physical activity and be able to design their own programs. They also should be able to demonstrate competency in many motor skills, not just a few, while demonstrating knowledge and skills to achieve and maintain a health enhancing level of physical activity and fitness. Clearly, physical education is much more than simply engaging in physical training. You can see that from the prerequisites in the core major courses our students at San Jose State take. They study anatomy, physiology, intro to chemistry, major core coursework in human bio-

mechanics, exercise physiology, human motor development, sports psychology and the list goes on. Physical education has never been more important. The quality of instruction is vital to a mentally, emotionally, and physically healthy America. Please leave its instruction in the hands of those who have been academically prepared.

Response: No data has been provided to the Commission to indicate that the Special Teaching Authorization in Physical Education will directly or indirectly cause higher obesity prevalence or health issues in California public schools.

The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

The proposed requirements for the Special Teaching Authorization in Physical Education are possession of a DSSS Teaching Credential in BMD or ROTC, satisfaction of the basic skills requirement, and verification of subject matter knowledge in Physical Education by passing the CSET for Physical Education or by completing a Commission-approved subject matter program in Physical Education.

16. Karen Breshears, Faculty, California State University, Stanislaus
Comment: I'm opposed to the proposal. A couple of reasons are field practicum adheres to a clinical model is important for all physical educators to have a strong role model to help them learn how to succeed in the teaching profession before they take on responsibilities as a teacher of record. This is part of the credential program and it's really the only way to bridge theory to practice. CCTC also requires TPAs before they can apply for the preliminary credentials. This assessment aligns with BTSA program requirements and will put these candidates at risk of not being in compliance. We also find that our physical ed student teachers who go through subject matter prep program are really prepared for the credential program. They know how to write lesson plans, unit plans, objectives, how to write lessons down, and most importantly they have a lot of practice independently teaching and then teaching in teams. And, finally, I have three children of my own who've gone through the California public school system and I would hope that their PE teachers would have the same preparation as any other teacher.

The subject matter knowledge requirement for a Single Subject Teaching Credential may be satisfied by passage of the CSET in Physical Education [Education Code sections 44281 and 44282(a)]. Passage of the CSET in Physical Education may be waived by completion of a Commission-approved subject matter program (Education Code section 44310). Because they satisfy the same requirement, these two options are as aligned and congruent as possible.

The proposed requirements for the Special Teaching Authorization in Physical Education are possession of a DSSS Teaching Credential in BMD or ROTC, satisfaction of the basic skills requirement, and verification of subject matter knowledge in Physical Education by

passing the CSET for Physical Education or by completing a Commission-approved subject matter program in Physical Education.

The proposed Special Teaching Authorization in Physical Education will provide the holder with a distinct physical education authorization limited to the areas of basic military drill and physical fitness training and will not authorize service in any physical education courses outside of ROTC and BMD. The Special Teaching Authorization in Physical Education will not compel LEAs to grant high school graduation credit in physical education for BMD and ROTC courses; it is an option for the employing agencies to apply at their discretion.