MEMORANDUM

TO: Kathryn Polster
FROM: OAL Front Desk
DATE: 1/21/2015
RE: Return of Approved Rulemaking Materials
    OAL File No. 2014-1204-01C

OAL hereby returns this file your agency submitted for our review (OAL File No. 2014-1204-01C regarding Annual Accreditation Fees).

If this is an approved file, it contains a copy of the regulation(s) stamped “ENDORSED APPROVED” by the Office of Administrative Law and “ENDORSED FILED” by the Secretary of State. The effective date of an approved regulation is specified on the Form 400 (see item B.5). **Beginning January 1, 2013**, unless an exemption applies, Government Code section 11343.4 states the effective date of an approved regulation is determined by the date the regulation is filed with the Secretary of State (see the date the Form 400 was stamped “ENDORSED FILED” by the Secretary of State) as follows:

1. **January 1** if the regulation or order of repeal is filed on September 1 to November 30, inclusive.
2. **April 1** if the regulation or order of repeal is filed on December 1 to February 29, inclusive.
3. **July 1** if the regulation or order of repeal is filed on March 1 to May 31, inclusive.
4. **October 1** if the regulation or order of repeal is filed on June 1 to August 31, inclusive.

If an exemption applies concerning the effective date of the regulation approved in this file, then it will be specified on the Form 400. The Notice of Approval that OAL sends to the state agency will contain the effective date of the regulation. The history note that will appear at the end of the regulation section in the California Code of Regulations will also include the regulation’s effective date. Additionally, the effective date of the regulation will be noted on OAL’s Web site once OAL posts the Internet Web site link to the full text of the regulation that is received from the state agency. (Gov. Code, secs. 11343 and 11344.)

**Please note this new requirement:** Unless an exemption applies, Government Code section 11343 now requires:

1. **Section 11343(c)(1):** Within 15 days of OAL filing a state agency’s regulation with the Secretary of State, the state agency is required to post the regulation on its Internet Web site in an easily marked and identifiable location. The state agency shall keep the regulation posted on its Internet Web site for at least six months from the date the regulation is filed with the Secretary of State.

2. **Section 11343(c)(2):** Within five (5) days of posting its regulation on its Internet Web site, the state agency shall send to OAL the Internet Web site link of each regulation that the agency posts on its Internet Web site pursuant to section 11343(c)(1).
A. PUBLICATION OF NOTICE  (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE
   Annual Accreditation Fees

2. REQUESTED PUBLICATION DATE
   8/15/14

3. NOTICE TYPE
   Regulatory Action

4. AGENCY CONTACT PERSON
   Kathryn Polster
   Telephone Number: 916-445-0928
   Fax Number (Optional): 916-327-3165

OAL USE ONLY
   Action on Proposed Notice: Approved as Submitted

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S)
   Annual Accreditation Fees

1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
   2014-0701-02E

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)
   Adopt:
   §80693 and §80694

3. TYPE OF FILING
   Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.

   □ Emergency Readopt (Gov. Code, §11346.1(n))
   □ File & Print
   □ Other (Specify)

   □ Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
   □ Other (Specify)

   □ Resubmitted or withdrawn emergency filing (Gov. Code, §11346.1)

   □ Other (Specify)

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
   Effective from 10/22 - 11/5/2014

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §11346.4-11346.1(r), Cal. Code Regs., title 1, §100)
   Effective on filing with Secretary of State
   $100 Changes Without Regulatory Effect
   Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRANCE BY, ANOTHER AGENCY OR ENTITY
   Department of Finance (Form STD. 399) (SAM 56660)
   √ Fair Political Practices Commission
   □ State Fire Marshal
   □ Other (Specify)

7. CONTACT PERSON
   Kathryn Polster
   Telephone Number: (916) 445-0928
   Fax Number (Optional): (916) 327-3165

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

   Signature of Agency Head or Designee
   Mary Vixie Sandy, Executive Director

   Date: 12/1/14

ENDORSED APPROVED
JAN 20 2015
Office of Administrative Law
CALIFORNIA CODE OF REGULATIONS
TITLE 5. EDUCATION
DIVISION 8. COMMISSION ON TEACHER CREDENTIALING
CHAPTER 5. APPROVED PROGRAMS
ARTICLE 3. OTHER PROGRAM APPROVAL PROCEDURES

Subarticle 4. Annual Accreditation Fees

§80693. Definitions.

As used in this subarticle, the following terms shall have the meanings as set forth below:

(a) "Institution fee" is part one of the total annual accreditation fee charged to an institution, as defined in section 80691(e), based on the average number of credential recommendations over the prior three fiscal years.

(b) "Program fee" is part two of the total annual accreditation fee charged to an institution, as defined in section 80691(e), based on the number of Commission-approved educator programs offered by the institution.

(c) "Total annual accreditation fee" is comprised of the institution fee and program fee, as defined in subsections (a) and (b), and represents the total amount due to the Commission annually.

(d) "Initial Preparation programs" are programs that provide the coursework and field experiences for individuals earning an initial teaching or services credential.

(e) "Second Tier and Specialist programs" apply the knowledge and skills from the preliminary program in an on-the-job mentored and supported assignment. Second tier preparation programs are such that allow the individual to earn the clear teaching or services credential. Specialist programs are programs through which a credentialed teacher may earn an authorization to teach in an additional area.

(f) "Added Authorization and Special Class/Teaching Authorization programs" are programs that an educator may complete to add an additional authorization that is closely related to the authorization held.

(g) "Intern programs" are a path to initial preparation program completion that allows an individual the ability to complete their preparation coursework concurrent in a paid position, upon completion of the required minimum preservice preparation as described in program standards.

(h) "Inactive programs" refer to Commission-approved educator preparation programs that have not withdrawn but are no longer accepting new candidates as detailed in the Accreditation

(i) "Recommendation" refers to the process of recommending candidates to receive a credential. Institutions must recommend their candidates, as specified in Education Code section 44227(b), to receive a credential after completing an approved program as part of the credential issuing process.

(j) "Extraordinary activity fee" refers to the fee charged to institutions that have not submitted the annual accreditation fee by the established due date.

(k) "Actual costs" may include costs for travel, per diem and incidentals for site visit volunteers and Commission staff, reimbursement of substitute teachers, room rentals, equipment, communication, staff time, accounting and legal services to support accreditation, supplies and statewide indirect costs.

Note: Authority cited: Section 44225, and 44227 Education Code. Reference: Sections 44225(h), 44370, 44371, 44372, 44373(c) and 44374, Education Code.

§80694. Annual Accreditation Fees

(a) The total annual accreditation fee, as defined in section 80693(c) shall be submitted to the Commission by September 1 of each year.

(b) An institution's failure to submit the total annual accreditation fee by November 1 annually shall result in:

1) An extraordinary activity fee of $500 to be paid in addition to the total annual accreditation fee.

2) The suspension of the institution's ability to make recommendations for credentials until all fees are paid in full.

(A) The suspension shall commence immediately upon the Commission's sending written notice that the total annual accreditation fee was not fully paid by November 1 each year.

(c) For fiscal year 2014-15 the institution fee, as defined in section 80693(a), shall be as follows:

1) 0-50 recommendations: $1,000.

2) 51-100 recommendations: $1,400.

3) 101-300 recommendations: $1,800.
(4) 301-600 recommendations: $2,200.

(5) Over 600 recommendations: $2,500.

(d) In subsequent fiscal years, the Commission shall adjust the Institution Fee specified in section 80694 (c) each year by the Implicit Price Deflator for State and Local Government, rounded to the nearest ten dollars.

(e) For fiscal year 2014-15 the program fee shall be as follows for each program:

   (1) Initial Preparation program: $400

   (2) Intern program: $150

   (3) Second Tier and Specialist program: $300

   (4) Added Authorization and Special Class/Teaching Authorization program: $200

   (5) Inactive program: $50

(f) In subsequent fiscal years, the Executive Director shall determine the program fee by calculating the actual costs of accreditation activities in the prior fiscal year and apportioning the actual costs at the same ratio as in fiscal year 2014-15, rounded to the nearest whole dollar.

(g) The Commission shall determine whether a change in fees will be necessary and provide notification should changes be necessary, to the Legislature and Department of Finance, on or before July 1 of each year. Adjustments contained in subsections (d) and (f) are not a change in fees.

(h) The Commission shall post on its website the total annual accreditation fee for each Commission-approved institution, and how it was determined, on or before August 1st each year.

Note: Authority cited: Section 44225, Education Code. Reference: Sections 44225(h), 44371, 44372, 44373(c), 44374 and 44374.5, Education Code.
Chapter Three
Institutional and Program Approval

Introduction
This chapter describes the processes by which an institution gains initial institutional approval from the CTC that allows the institution to propose specific credential preparation programs for approval by the COA. This chapter also provides information about the different status options that a program might have, such as being approved, inactive, discontinued, or withdrawn.

I. Initial Institutional Approval
According to the Accreditation Framework (Section 1-B-1), the CTC is responsible for determining the eligibility of an institution that applies for initial accreditation and that has not previously prepared educators for state certification in California. The following procedures apply to those institutions:

A. The institution prepares a complete program proposal, responding to all preconditions, Common Standards and appropriate program standards. The proposal will be considered the application for accreditation as well as the application for credential preparation program approval.

B. Initial Accreditation is a two-stage process:

1. The proposal will be reviewed for compliance with the appropriate institutional preconditions and for alignment with the Common Standards, both of which can be found at http://www.ctc.ca.gov/educator-prep/program-standards.html.
2. If the proposal meets the CTC's eligibility requirements as judged by trained reviewers, the institution will be recommended for initial institutional approval to the CTC which will consider the recommendation and take action.
3. If the CTC acts favorably on the proposal, the proposal will be forwarded to the COA for program accreditation action according to adopted procedures.

C. Once granted initial accreditation, the institution will then come under the continuing accreditation procedures adopted by the COA.

II. Initial Accreditation of Programs
According to the Accreditation Framework (Section 2-A-2), the COA is responsible for granting initial accreditation to new programs of educator preparation. If the COA determines that a program meets all applicable standards, the COA grants initial accreditation to the program. New credential program proposals by eligible institutions
must fulfill preconditions established by state law and the CTC. They must also fulfill the Common Standards and one of the program standards options listed in Section 3 of the Framework: Option 1, California Program Standards; Option 2, National or Professional Program Standards; or Option 3, Experimental Program Standards.

Section 4-B of the Framework contains the Policies for Initial Accreditation of Programs. Prior to being presented to the COA for action, new programs proposed by eligible institutions must go through Initial Program Review (IPR). During IPR, new program proposals are reviewed by panels of external experts, and occasionally by CTC staff with expertise in the credential area. During IPR, new programs are reviewed in relation to the preconditions, Common Standards or Common Standards Addendum and the selected program standards. The COA considers recommendations by the external review panels and CTC staff when deciding on the accreditation of each proposed program.

An institution that selects National or Professional Program Standards (Option 2) should consult the chapter on National or Professional Standards for appropriate procedures. The acceptability of the standards should be assured before the institution prepares a program proposal. An institution may choose to submit a program that meets the Experimental Program Standards (Option 3) adopted by the CTC when the program is designed to investigate professional preparation issues or policy questions related to the preparation of credential candidates.

Program Submission and Implementation: Basic Steps in the Accreditation of New Programs
There are several steps that must be followed by the CTC, its staff, and the COA during the process of reviewing proposals from institutions and agencies wishing to sponsor educator preparation programs.

1. Preliminary Staff Review
Before submitting program proposals for formal review and initial accreditation, institutions are encouraged to request preliminary reviews of draft proposals by the CTC’s professional staff. The purpose of these reviews is to assist institutions in developing programs that are consistent with the intent and scope of the standards, and that will be logical and clear to the external reviewers. Program proposals may be submitted for preliminary staff review at any time. Institutions are encouraged to discuss the potential timeframe for such a review with CTC staff. Preliminary review is voluntary.

2. Review of Preconditions
Preconditions are requirements necessary to operate a program leading to an educator preparation license in California. They are based on state laws and regulations and do not involve issues of program quality. An institution's response to the preconditions is reviewed by the CTC's professional staff. At the institution's discretion, preconditions may be reviewed either during the preliminary review stage, or after the institution's formal submission of a proposal. If staff determines that the program
complies with the requirements of state laws and administrative regulations, the program is eligible for a further review of the standards by staff or a review panel. If the program does not comply with the preconditions, the proposal is returned to the institution with specific information about the lack of compliance. Such a program may be resubmitted once the compliance issues have been resolved.

3. Initial Program Review (IPR)
Unlike the preconditions, the Common Standards or Common Standards Addendum and program standards address issues of program quality and effectiveness. The institution’s formal response to the Common Standards or Common Standards Addendum and program standards are reviewed by a panel of experts in the field of preparation or by CTC staff. During the Initial Program Review process, there is opportunity for institutional representatives to confer with staff consultants to answer questions or clarify issues that may arise.

If staff or the review panel determines that a proposed program fulfills the standards, the program is recommended for initial accreditation by the COA at one of its regular meetings. Action by the COA is communicated to the institution in writing.

If staff or the review panel determines that the program does not meet the standards, the proposal is returned to the institution with an explanation of the findings. Specific reasons for the decision are communicated to the institution. Representatives of the institution can obtain information and assistance from the CTC’s staff. After changes have been made in the program, the proposal may be submitted for re-consideration.

Appeal of an Adverse Decision
There are two levels of appeal of an adverse decision. The first is an appeal of a decision by CTC staff, or its review panel, that the preconditions or relevant program standards were not satisfied and that the proposal should not be forwarded to the COA for action. This appeal is directed to the COA.

The second is an appeal of an adverse decision by the COA. This appeal is directed to the Executive Director of the CTC.

If a program is not recommended to the COA for approval by staff or the review panel, the institution may submit a formal request to place that program on the agenda of the COA for consideration. In so doing, the institution must provide the following information:

- The original program proposal and the rationale for the adverse decision provided by the CTC's staff or review panel.

- Copies of any responses by the institution to requests for additional information from CTC's staff or review panel, including a copy of any resubmitted proposal (if it was resubmitted).
• A rationale for the institution's request.

The COA will review the information and do one of the following:

• Grant initial accreditation to the program.

• Request a new review of the institution's program proposal by a different CTC staff member or a different review panel.

• Deny initial accreditation to the program.

Within twenty business days of the COA’s decision to deny initial accreditation, the institution may submit evidence to the Executive Director of the CTC that the decision made by the COA was arbitrary, capricious, unfair, or contrary to the policies of the Accreditation Framework or the procedural guidelines of the COA. (Information related to the quality of the program that was not previously presented to the CTC's staff or the review panel may not be considered by the CTC.) The Executive Director will determine whether the evidence submitted by the institution responds to the criteria for appeal. If it does, the Executive Director will forward the appeal to the CTC. If it does not, the institution will be notified of the decision and provided with information describing how the information does not respond to the criteria. The institution will be given ten business days to re-submit the appeal to the Executive Director.

The appeal, if forwarded to the CTC by the Executive Director, will be heard before the Professional Services Committee of the CTC. The Professional Services Committee will consider the written evidence provided by the institution and a written response from the COA. In resolving the appeal, the CTC will take one of the following actions:

• Sustain the decision of the COA to deny initial accreditation to the program.

• Overturn the decision of the COA and grant initial accreditation to the program.

The Executive Director communicates the CTC's decision to the COA and the institution.

III. Program Status for Approved Programs

Once a program has been accredited by the COA, it will be considered an approved program. As conditions change, however, it is sometimes necessary for programs to be granted either the inactive status or to be withdrawn by the institution. Institutions are responsible to initiate either a change from approved-active to approved-inactive or withdrawn.
The chart below illustrates the operational differences in the three possible status options followed by more specific information on each.

<table>
<thead>
<tr>
<th>Institution/Program Sponsor</th>
<th>Program Approval Status</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Withdrawn</td>
</tr>
<tr>
<td><strong>May Accept New Candidates</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>May Recommend Candidates for a Credential</strong></td>
<td>Only those already in the program</td>
</tr>
<tr>
<td><strong>Participates in Biennial Reports</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>Participates in Program Assessment</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>Participates in Site Visit</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>How to Request Reinstatement</strong></td>
<td>New Program Document Submitted and reviewed by panel members</td>
</tr>
</tbody>
</table>

*See a description of the Re-activation process below. If the CTC adopted revised program standards while the program is in inactive status, a new program document will be required to re-activate a program.

**Approved Programs**

**Already Approved Program Sponsors Authorized to Offer California Credentials**

Approved programs participate in all activities in the accreditation cycle in accordance with their assigned cohort. The accreditation cycle takes seven years to complete and all activities are essential for on-going accreditation of all approved programs. The annual cycle of activities is consistent with the premise that credential preparation programs engage in annual data collection and analyses to guide program improvement.

An approved educator preparation program will be identified as such on the CTC’s web page and may be identified as approved on the sponsor’s web page, if applicable.

- All approved programs will participate in the CTC’s accreditation system, in the assigned cohort.
- In the first, third, and fifth years of the accreditation cycle the programs will submit Biennial Reports.
- In the fourth year of the accreditation cycle, the programs will submit Program Assessment documents.
• In the sixth year of the accreditation cycle, the programs will participate in the Site Visit activities.

• In the seventh year of the accreditation cycle, the programs will participate, as needed, in the 7th Year Follow-up Report.

Newly Approved Program Sponsors Authorized to Offer California Credentials
Once an institution and its programs have gained initial accreditation, the institution will be assigned to an accreditation cohort. These newly approved institutions will enter into the second year of the cycle. Two years following the approval of a new institution and its program(s), which is the fourth year of the accreditation cycle, the approved institution will participate in a Technical Assistance Site Visit rather than submit the normally required Program Assessment document. This allows the Commission the opportunity to provide closer oversight of an institution new to California credentialing while providing some guidance and assistance. During the sixth year of the accreditation cycle, the approved institution takes part in an accreditation site visit. At that point the institution begins the regular annual cycle of activities.

Inactive Program
An institution or program sponsor may decide to declare a program that has been previously approved by the CTC or accredited by the COA as ‘inactive.’ The following procedures must be followed:

• The institution or program sponsor notifies the Administrator of Accreditation of its intention to declare the program inactive. The program can be deemed inactive when it no longer accepts new candidates into the program and then is recognized only to exist to complete the program for current candidates.

• The notification to the Administrator must include the anticipated date that the inactive status will begin (i.e. the date from which candidates will no longer be admitted to the program).

• Candidates already admitted to the program are notified in writing by the institution or program sponsor that the program is being declared inactive.

• The institution assists enrolled candidates in planning for the completion of their program. A plan regarding how current candidates will complete the program must accompany the inactive request.

• The institution or program sponsor determines a date by which all enrolled candidates will be able to finish the program, not to exceed a maximum of one year after the normative completion date...

• Following the date after which all current candidates will be able to complete the program, as determined by the institution, the program may no longer operate and the institution may no longer recommend candidates for the credential until such a time as the program is re-activated. The program will not be listed on the CTC’s public web page for approved programs. The program will appear as inactive in
the Credential Information Guide (CIG) web page (http://134.186.81.79/fmi/xsl/CIG_apm/PPPM_all.xsl).

- An inactive program will be included in accreditation activities in a modified manner as determined by the Administrator of Accreditation.

- An inactive program may be re-activated only when the institution submits a request to the COA and the COA has taken action to reactive the program. If the program standards under which the program was approved have been modified, the institution or program sponsor must address the updated standards before the program may be re-activated.

- An inactive program may stay on inactive status for no longer than 5 years; after which, the program sponsor should determine whether the program should be withdrawn permanently or reactivated.

**Re-activating an Approved Inactive Educator Preparation Program**

An Inactive program cannot be Re-activated until the Committee on Accreditation (COA) takes action at a regularly scheduled meeting. The following procedures must be followed:

- Submit a letter requesting re-activation to the Commission indicating the requested date of re-activation, why Re-activation is begin requested and if changes have been made to the program.

- Submit all necessary supporting documentation. The type of documentation will vary depending on a number of factors including, but not limited to, the length of time the program has been inactive, personnel changes and curricular changes. The institution will need to contact the Administrator of Accreditation to determine what documentation will be necessary.

Once all requested documentation has been reviewed and approved by Commission staff, the request for Re-activation is placed on the COA agenda for final approval. If approved, the Re-activated educator preparation program may, according to their approved activation date:

- Accept candidates to the credential program
- Begin operating the credential program
- Recommend completers for the appropriate credential

**Withdrawal of Credential Programs**

An institution may decide to withdraw a program that has been previously approved by the CTC or accredited by the COA. The withdrawal of a program formalizes that it is no longer part of the institution’s accredited program offerings and, from the CTC’s
perspective, no longer part of the accreditation system. In order to withdraw a program, the following procedures must be followed:

- The institution notifies the Administrator of Accreditation of its intention to withdraw the program when the current candidates complete the program. The notification must include the date from which candidates will no longer be admitted to the program.

- Candidates already admitted to the program are notified in writing by the institution that the program is being withdrawn. The institution determines a date by which all enrolled candidates will be able to finish the program. The institution assists enrolled candidates in planning for the completion of their program. The institution files the list of candidates and date of their program completion with the CTC.

- Following the date after which candidates will no longer be enrolled (as determined by the institution), the program may no longer operate and the institution may no longer recommend candidates for the credential.

- A program being withdrawn will not be included in any continuing accreditation visits while candidates are finishing the program, provided that the Administrator of Accreditation was notified of the institutional intent to withdraw the program at least one year before the continuing accreditation Site Visit.

- A withdrawn program may be re-accredited only when the institution submits a new proposal for initial accreditation according to the COA initial accreditation policies. From the date in which candidates were no longer admitted to the program, the institution must wait at least two years before requesting re-accreditation of the program.

Discontinuation of Credential Programs
When an institution is required by the COA to discontinue a credential program, the following procedures must be followed:

- Within 60 days of action by the COA, the institution must file, with the Administrator of Accreditation, the institution’s plan for program discontinuation.

- Candidates are no longer admitted to the program once the institution is required to discontinue the program.

- Candidates already admitted to the program are notified in writing by the institution that the program is being discontinued. The institution determines a date by which all enrolled candidates will be able to finish the program. The institution helps candidates plan for completion of their program by helping them
complete their program at the institution where they are currently enrolled or at another institution. The institution files the list of candidates and dates of program completion with the CTC.

- Following the date after which the institution will no longer enroll candidates (as determined by the institution), the program may no longer operate, and the institution may not recommend candidates for the credential.

A discontinued program may be re-accredited only when the institution submits a new proposal for initial accreditation according to the COA’s initial accreditation policies. The institution must wait at least two years after the date of discontinuation before requesting re-accreditation.

**Loss of Initial Approval**
When an institution withdraws its last program, it loses approval as an accrediting institution. It must wait two years from the date of submitting the withdrawal before applying for approval once again and complete the Initial Program Review anew.