

Division VIII of Title 5 of the California Code of Regulations

Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Adding a New Teaching or Content Area to an Existing General Education Teaching Credential Initial Statement of Reasons

Rationale for Proposed Regulations

Education Code section 44225 authorizes the Commission to adopt these proposed regulation amendments. The proposed regulations interpret and make specific Education Code sections 44225(e) pertaining to adding a new teaching or content area to an existing general education teaching credential.

This rulemaking action proposes amendments to Title 5 of the California Code of Regulations (CCR) related to the English learner requirement for adding a teaching or content area to a general education teaching credential as approved by the Commission at the August 2015 meeting. The proposed amendments also include correction of a typographical error in the regulation.

General Provisions Governing Adding a Teaching or Content Area

Title 5 CCR section 80499 allows a California credentialed teacher to add a teaching or content area to an existing general education teaching credential without completing the full professional preparation program for the new content area or credential type. Current law requires an educator who wishes to apply for certification using this regulation to hold an English learner authorization issued pursuant to Education Code section 44253.3 or 44259.5.

However, these sections of Education Code refer solely to the English learner authorizations earned through either coursework embedded within a California teacher preparation program or through Commission-approved California Teachers of English Learners (CTEL) coursework or examinations. This inadvertent omission of other appropriate current and previously-issued English learner authorizations unintentionally resulted in limiting experienced educators from being able to use this regulation to add a new teaching or content area to their existing credential, thus creating inequity amongst educators.

These proposed amendments seek to clarify and make specific which English learner authorizations are acceptable towards meeting the requirements of Title 5, section 80499, including all appropriate current and previously-issued English learner authorizations.

There is also one non-substantive change that needs to be included in 5 CCR section 80499 to address a typographical error.

Objectives and Anticipated Benefits of the Proposed Regulations

The objective of the proposed amendments is to clarify and make specific the English learner requirement set forth in this section of regulations as it pertains to adding a new teaching or content area to an existing general education credential by listing all appropriate currently and previously listed English learner authorizations as acceptable towards meeting this regulatory requirement.

The Commission anticipates that the proposed amendments will promote fairness and prevent discrimination by ensuring equity between all educators who earned appropriate English learner authorizations and prevent the exclusion of those educators with an English learner authorization that was not earned through coursework embedded within a California teacher preparation program or through Commission-approved California Teachers of English Learners (CTEL) coursework or examinations. The Commission does not anticipate that the proposed regulations will result in an increase in openness and transparency in government, the protection of public health and safety, worker safety, or the environment, the prevention of social inequity, or an increase in openness and transparency in business.

Summary of Proposed Amendments to Regulations §80499

(c)(1)(C) Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

(c)(2)(B) Proposes addition of the word “program” to complete the sentence, correcting a typographical error.

(c)(2)(D) Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

(c)(3)(C) Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

(d)(1)(E) Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

(d)(2)(E) Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

(d)(3)(E) Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

(i)(1)(B) Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

(i)(2)(B) Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

(i)(3)(B) Proposes the removal of specific options for fulfilling the English learner authorization requirement and introduces reference to a new subsection that broadens the routes available to fulfill the English learner authorization requirement.

(j) Proposes the addition of a new subsection to more clearly define acceptable California English learner authorizations.

(j)(1) Proposes to add an English learner authorization listed on a previously issued multiple subject, single subject, or education specialist instruction credential as an acceptable option for meeting the English learner authorization requirement.

(j)(2) Proposes to add a BCLAD emphasis listed on a previously issued multiple subject or single subject credential as an acceptable option for meeting the English learner authorization requirement.

(j)(3) Proposes to add a BCLAD Certificate as an acceptable option for meeting the English learner authorization requirement.

(j)(4) Proposes to add an English learner authorization or CLAD Certificate issued pursuant to section 80015 as an acceptable option for meeting the English learner authorization requirement.

(j)(5) Proposes to add a Bilingual authorization issued pursuant to section 80015.1 as an acceptable option for meeting the English learner authorization requirement.

(j)(6) Proposes to add a Bilingual Crosscultural Specialist Credential as an acceptable option for meeting the English learner authorization requirement.

(j)(7) Proposes to add a Language Development Specialist Certificate as an acceptable option for meeting the English learner authorization requirement.

(j)(8) Proposes to add a Bilingual Certificate of Competence as an acceptable option for meeting the English learner authorization requirement.

(j)(9) Proposes to add a Single Subject Teaching Credential in World Language: English Language Development as specified in section 80004(e) as an acceptable option for meeting the English learner authorization requirement.

(j)(10) Proposes to add a Certificate of Completion of Staff Development issued pursuant to Education Code section 44253.10 as an acceptable option for meeting the English learner authorization requirement.

Note: Proposes additional references to the Note section applicable to new regulatory section (j).

Economic Impact Assessment/Analysis

The proposed amendments interpret and make specific Education Code sections 44225(e) and 44274.2 pertaining to adding a new teaching or content area to an existing general education teaching credential.

The purpose of the proposed amendments is to clarify and make specific the English learner requirement set forth in this section of regulations as it pertains to adding a new teaching or content area to an existing general education credential by listing all appropriate currently and previously listed English learner authorizations as acceptable towards meeting this regulatory requirement.

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

Creation or Elimination of Jobs Within the State of California

The proposed amendments pertaining to the requirements for adding a new teaching or content area to an existing general education teaching credential will not create or eliminate jobs in California.

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

The proposed amendments pertaining to the requirements for adding a new teaching or content area to an existing general education teaching credential will not create or eliminate existing businesses in California.

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

The proposed amendments pertaining to the requirements for adding a new teaching or content area to an existing general education teaching credential will not cause the expansion or elimination of existing businesses in California.

Benefits of the Regulations

The Commission anticipates that the proposed amendments will promote fairness and prevent discrimination by ensuring equity between all educators who earned appropriate English learner authorizations and prevent the exclusion of those educators whose English learner authorization was not earned through coursework embedded within a California teacher preparation program or through Commission-approved California Teachers of English Learners (CTEL) coursework or examinations. The Commission does not anticipate that the proposed regulations will result in an increase in openness and transparency in government, the protection of public health and safety, worker safety, or the environment, the prevention of social inequity, or an increase in openness and transparency in business.

Consideration of Alternatives

In accordance with Government Code section 11346.5, subdivision (a)(13), the Commission must determine that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed, would be as effective 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.

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

Evidence Relied Upon to Support the Initial Determination That the Regulation Will Not Have a Significant Adverse Economic Impact on Business

The proposed regulations will not have a significant adverse economic impact upon business. The proposed regulations apply only to individuals seeking to add a new teaching or content area to an existing general education teaching credential.