

*California
Commission on Teacher Credentialing*

*Meeting of
August 13 - 14, 2003*

AGENDA ITEM NUMBER: C&CA1

COMMITTEE: Credentials and Certificated Assignment

TITLE: Proposal to Delete Sections 80032.2, 80058.2, 80466 and 80523.3 of Title 5 of the California Code of Regulations (Action)

Action

Information

Strategic Plan Goal(s) :

Provide leadership in exploring multiple, high quality routes to prepare professional educators for California's schools.

Prepared, Presented and
Approved By:

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Date: 07/24/03

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Executive Director

Date: 07/24/03

Proposal to Delete Sections 80032.2, 80058.2, 80466 and 80523.3 of Title 5 of the California Code of Regulations

Summary

At the June Commission meeting the Commission staff presented the first of three agenda items pertaining to updating 65 sections of Title 5 of the California Code of Regulations. This agenda item is the second in the series of agenda items. Staff is proposing deleting four sections of Title 5 that are currently no longer used.

Fiscal Impact

Funding for this project is provided in the Commission's baseline budget.

Policy Issues to be Resolved

Should the Commission delete sections of the California Code of Regulations, Title 5 that are no longer used?

Staff Recommendation

Staff recommends that the Commission approve the deletion of four sections of Title 5 of the California Code of Regulations for purpose of beginning the rulemaking file for submission to the Office of Administrative Law and scheduling a public hearing.

Background

During the process of making changes to the sections of Title 5 of the California Code of Regulations sections pertaining to the Administrative Services Credential the Commission staff found that certain sections of Title 5 were in some cases more restrictive than the statute cited as a reference. At the direction of the Executive Director the Professional Practices Division, the Professional Services Division and the Certification, Assignment and Waivers Division reviewed Title 5 sections that pertained to each Division. As a result of that review, staff found 65 sections of Title 5 that needed to be either deleted or updated. The affected sections were classified as either Changes Without Regulatory Effect, Sections to be Deleted that Require a Public Hearing and Sections to be Updated that Require a Public Hearing. This is the second agenda item that addresses sections that are proposed for deletion and require a public hearing.

Proposed Changes to Title 5 Regulations

Section 80032.2 Special Education Coursework for the Clear Teaching Credential

This section outlined the specific elements required for special education training for teachers and administrators. This section became effective on November 6, 1978. Senate Bill 2042 (Statutes of 1998, Chapter 548, Alpert-Mazzoni) changed the special education training in Education Code Section 44259 to be a requirement in both the preliminary and professional clear credentials and became a part of the standards approved by the Commission implementing SB 2042. Staff is recommending deleting this section because the special education requirement has changed and is now included in the teacher preparation program standards.

Section 80058.2 Continuance and Extension of Service

This section of Title 5 became effective on November 29, 1978. The Education Code reference for this section is 44344. This section of the Education Code refers to the transition from the Standard credentials to the Ryan credentials. Consequently this section of Title 5 is obsolete. School districts continue to use the provisions of this section, which now are in conflict with AB 2859 (Statutes of 2002, Chapter 1069, Aroner), which requires all certificated staff to hold a credential issued by the Commission on Teacher Credentialing. If an audit finds that a teacher is serving without a credential both the school district and the county office of education are subject to a fine. AB 2859 does not allow a lapse in a credential as provided for in this section. Staff is recommending deletion of this section based on the Education Code reference and the provisions of AB 2859.

Section 80466 Teaching Experience in Lieu of Professional Preparation

AB 877 (Statutes of 2000, Chapter 703, Scott) required that the Commission review standards from other states and determine if they are equivalent to the ones established by the Commission. The Commission has approved 37 states as equivalent states. If an individual completes a program in a state that has been determined to be equivalent, the Commission accepts that program even if student teaching was met through experience. Rather than the Commission staff determine if three years teacher experience is equal to student teaching, Commission staff now relies solely upon the credentialing requirements from other states, consequently this section is no longer necessary

Section 80523.3 Administrative Services Experience

Commission staff no longer uses this section of Title 5. Institutions of higher education that offer Commission-accredited administrative services preparation programs now have the authority to determine whether experience is administrative in nature, rather than the Commission staff, consequently this section is no longer necessary.

§80032.2. Special Education Training for Teachers and Administrators.

~~(a) The Special Education training requirement specified in Section 67.5 of Chapter 1247 of the Statutes of 1977 shall be required of each applicant for a clear Multiple or Single Subject teaching credential or an Administrative Services credential issued in accordance with the provisions of Section 44259 of the Education Code. This requirement may be satisfied by a course of study, which may be offered or accepted by an approved college or university. The college or university recommending the applicant for a clear Multiple or Single Subject teaching credential or Administrative Services credential shall submit a plan for Commission approval indicating how this requirement will be met. Each plan submitted to the Commission shall include but not be limited to the following:~~

- ~~(1) A description of the program elements which lead to the demonstration of the knowledge and skills as provided herein;~~
- ~~2) A description of how such program elements relate to each specified knowledge and skill area for each credential;~~
- ~~(3) A description of the specific program options available to each candidate for acquiring the knowledge and skills;~~
- ~~(4) Provisions for giving credit or establishing equivalency toward completion of this requirement in the form of in-service training, work taken for credit at other institutions, including out-of-state institutions, or a combination of these or other options.~~

~~(b) After July 1, 1979 no institutional recommendation shall be issued for the clear Multiple or Single Subject teaching credential unless the recommending institution has presented evidence that the candidate has completed a program preparing the individual to:~~

- ~~(1) Recognize children's academic strengths and weaknesses, perceptual characteristics, and preferred learning modalities (i.e., auditory, visual, kinesthetic) through formal and informal assessment procedures appropriate for classroom teachers to administer;~~
- ~~(2) Be able to assess the characteristics and behavior of exceptional pupils in terms of program and developmental needs;~~
- ~~(3) Recognize the differences and similarities of exceptional and non-exceptional pupils;~~
- ~~(4) Analyze non-discriminatory assessment including a sensitivity to cultural and linguistic factors;~~
- ~~(5) Produce and evaluate short- and long-term educational objectives for regular classroom aspects of the Individualized Education Program goals;~~
- ~~(6) Utilize various diagnostic/prescriptive materials and procedures in reading, language arts, math, and perceptual-motor development, when appropriate;~~
- ~~(7) Apply diagnostic information toward the modification of traditional school curriculum and materials for selected children;~~
- ~~(8) Identify and teach non-academic areas, i.e., socialization skills, career and vocational education;~~
- ~~(9) Promote pupil growth in the affective domain and in inter-personal relationships;~~
- ~~(10) Be able to communicate appropriate information in a positive manner to other professionals and to parents;~~
- ~~11) Understand current legislation dealing with Special Education, including the concept of least restrictive environment, and due process for parents and teachers.~~

~~(c) After July 1, 1979 no institutional recommendation shall be issued for the Administrative Services credential unless the recommending institution has presented evidence, consistent with its approved plan, that the candidate has completed a program preparing the individual to:~~

- ~~(1) Be able to assess the characteristics and behavior of exceptional pupils in terms of program and developmental needs;~~
- ~~(2) Recognize the differences and similarities of exceptional and non-exceptional pupils;~~
- ~~(3) Analyze non-discriminatory assessment including a sensitivity to cultural and linguistic factors;~~
- ~~(4) Discuss interpersonal relationships and human relations problems and issues with students and parents;~~
- ~~(5) Communicate information in a positive manner to teachers and parents;~~
- ~~(6) Evaluate the concept of least restrictive environments and its implications for the instructional process;~~
- ~~(7) Define and explain the admission, review, and dismissal processes of Special Education legislation;~~
- ~~(8) Formulate and illustrate an Individualized Educational Program in consultation with the appropriate support personnel and parents for individuals with exceptional needs;~~
- ~~(9) Identify and select alternative instructional programs;~~
- ~~(10) Contrast and explain individual projections of Special Education legislation as they pertain to parents, teachers and students;~~
- ~~(11) Apply diagnostic information toward the modification of traditional school curriculum and materials for selected children.~~

NOTE

~~Authority cited: Section 44225(b), Education Code. Reference: Sections 44225 and 44259, Education Code.~~

HISTORY

- ~~1. New section filed 11-6-78; effective thirtieth day thereafter (Register 78, No. 45).~~

~~§80058.2. Continuance and Extension of Service.~~

~~(a) The employing school officials, upon request to county school officials, may receive continuance to the end of a school year of a candidate's preliminary credential which lapses (expires) April 1 or thereafter of a school year. Such continuance is authorization for payment of salaries for service rendered on the lapsed credential.~~

~~(b) The employing school official, upon request to the county school officials, may receive continuance of the 30-day emergency substitute teaching credential to the end of the school year if the 30-day authorization is fulfilled after May 15 of a school year.~~

~~NOTE~~

~~Authority cited: Section 44225(b), Education Code. Reference: Section 44344, Education Code.~~

~~HISTORY~~

~~1. New section filed 11-29-78; effective thirtieth day thereafter (Register 78, No. 48).~~

~~§80466. Teaching Experience in Lieu of Professional Preparation.~~

~~An applicant who has not completed a program of professional preparation in accordance with Section 80472 or 80056 may offer three years of successful full-time teaching experience, all of which has been completed within ten years prior to the date of application. All such teaching experience shall have been acquired in grades one through twelve in public schools or private schools of equivalent status, verified by appropriate administrative officials in the school district or districts where the experience was acquired. The teaching experience shall have been accomplished on a full professional certificate based upon a baccalaureate or higher degree of the state in which the experience was acquired. If a certificate was not required, the applicant shall verify eligibility for such certification at the time. The experience shall be verified on a form prescribed by the Commission, and shall be considered a part of the application. The applicant shall meet all other credential requirements.~~

~~NOTE~~

~~Authority cited: Section 44225, Education Code. Reference: Sections 44320 and 44321, Education Code.~~

~~§80523.3. Administrative Services Experience.~~

~~The Commission shall waive the requirement of Education Code Section 44270.1(a)(2), concerning the administrative experience required for the professional Administrative Services credential, if the applicant verifies all of the following:~~

~~(a) The preliminary Administrative Services credential was held during the time that the service was performed;~~

~~(b) The two years of full-time duties completed were equivalent in nature to administrative duties. A letter from the employing school district or county must verify the assignment and shall include a complete description of the duties and length of time the applicant has been employed, and shall include a thorough explanation as to why the school district or county does not identify the position as one which requires an Administrative Services credential;~~

~~(c) The Coordinator or Director of the Administrative Services credential program at the IHE in which the applicant is enrolled, verifies that the experience is equivalent to that authorized under the professional Administrative Services credential; and~~

~~(d) The Commission staff confirms that the position would be considered administrative for purposes of assignment monitoring, including such positions as principal, assistant principal, dean, coordinator or director of programs, but not including positions such as resource teacher or curriculum consultant.~~

~~NOTE~~

~~Authority cited: Section 44225, Education Code. Reference: Sections 44225(m) and 44270.1(a)(2), Education Code.~~

~~HISTORY~~

~~1. New section filed 5-24-93; operative 6-23-93 (Register 93, No. 22).~~