
6D

Action

Professional Services Committee

SB 2042 (Chap. 548, Stats. 1998) Update on the Implementation of the Teacher Preparation Standards

AGENDA INSERT

Executive Summary: This agenda item continues the discussion begun at the March 2007 meeting relating to the SB 2042 reform and work that is still to be completed. This item provides information on preliminary teacher preparation policy issues related to the SB 2042 reform. In addition, the item provides a historical look at standards development and a possible plan for review of educator preparation program standards in the future.

Recommended Action: That the Commission adopt the recommendations as described in the item.

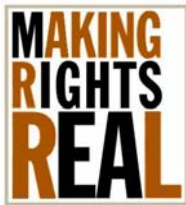
Presenters: Teri Clark, Administrator and Larry Birch, Director, Professional Services Division

Strategic Plan Goal: 1

Promote educational excellence through the preparation and certification of professional educators

- ◆ Sustain high quality standards for the preparation of professional educators.

April 2007



Public | Advocates

April 23, 2007

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RE: ITEM 6D—SB 2042: UPDATE ON IMPLEMENTATION OF THE TEACHER PREPARATION STANDARDS (INTERN PROGRAMS)

Dear Mr. Pearson and Members of the Commission,

We write as co-counsel for the plaintiffs in *Williams v. California* in order to bring to your attention concerns about (1) the application of the *Standards of Quality and Effectiveness for Teacher Preparation Programs for Preliminary Multiple and Single Subject Teaching Credentials* (“Standards”) to intern programs and (2) the Commission’s need to promulgate regulations addressing intern programs.

One of the fundamental goals of the *Williams* settlement in August 2004—which we know the Commission shares—was to ensure that all students, particularly those in the lowest-performing schools, are taught by qualified teachers assigned to positions for which they are authorized to teach. Many students in California are being taught by intern teachers, who are teachers that are still undergoing pedagogical training in order to obtain their full teaching credential.¹ These intern teachers are disproportionately assigned to teach in low-performing and high-minority schools.² In order to further the goals and the express requirements of *Williams*, it is critical that intern teachers receive training, support, and mentorship that, at a minimum, satisfy the requirements of the federal No Child Left Behind (“NCLB”) Act and its implementing regulations. Cal. Educ. Code §§ 44325(f), 44453(b). Thus, the Standards must be revised to reflect NCLB’s requirements for intern programs. As compliance with the Standards is used to determine

¹ In 2005-06, there were approximately 8,300 intern teachers in California. (Center for the Future of Teaching and Learning, *California’s Teaching Force 2006: Key Issues and Trends*, available at http://www.cftl.org/publications_latest.php, at 12.)

² Over half (53%) of all interns teaching in California are teaching in schools with 91 to 100% minority students, compared with only 3% of interns in schools with the lowest minority population. (Center for the Future of Teaching and Learning, *The Status of the Teaching Profession 2005*, at xi.) The distribution of intern teachers by school achievement shows a similar pattern. Fifty-eight percent of interns teach in schools that fall in the lowest achievement quartile on the Academic Performance Index, while only 6% teach in schools in the highest achievement quartile. (*Id.* at 73.)

the accreditation of intern programs, a revision of the Standards will have a ripple effect throughout the State in increasing the quality and rigor of intern programs.

Moreover, in order to fulfill the new statutory intern requirements imposed by *Williams* (as well as the strictures of the *California Administrative Procedures Act*), it is incumbent upon the Commission to promulgate regulations that will clearly align California's internship programs with NCLB, thereby promoting consistency between the state and federal statutes, the state and federal implementing regulations, and the state *Standards of Quality and Effectiveness for Teacher Preparation Programs for Preliminary Multiple and Single Subject Teaching Credentials*. More than a year has passed since the Commission announced and then postponed a rulemaking hearing to address internship credentials; the time to promulgate new regulations addressing internships is well past due.

THE STANDARDS, AS APPLIED TO INTERN PROGRAMS, DO NOT COMPLY WITH THE MANDATE OF NCLB AND ITS IMPLEMENTING REGULATIONS, AS WELL AS CALIFORNIA STATE LAW.

In order for California's intern teachers to be labeled "highly qualified," all intern programs must meet the minimum standards for intern programs under the federal No Child Left Behind Act of 2001 and its implementing regulations. At a minimum, this means that all intern programs must provide rigorous preservice training and intensive supervision and mentoring, (*see* 34 C.F.R. § 200.56(a)(2)(ii)(A)), and that these program requirements be guaranteed through the state's certification and licensure practices, (*see* 34 C.F.R. § 200.56(a)(2)(ii)(B)). Beyond the State's obligation to adhere to NCLB federal law, the *Williams v. California* settlement added to the existing district and university intern statutes Education Code section 44325(f) (district interns) and section 44453(b) (university interns) which directed the Commission to ensure that the quality of intern programs in California was raised to the level dictated by NCLB. Cal. Educ. Code § 44325(f) ("The commission [on Teacher Credentialing] shall ensure that each district internship program in California provides program elements to its interns as required by the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) and its implementing regulations"); Cal. Educ. Code § 44453(b) (same as to university interns). Thus, the Standards must ensure that California's intern programs comply with the mandates of federal and state law. Currently, the Standards fail to comply with federal and/or state law in four areas, addressed in turn below: (1) preservice training, (2) preservice training specifically focused on teaching English Learners ("EL"), (3) supervision and mentoring of intern teachers, and (4) qualifications for supervisors/mentors of intern teachers.

1. The Standards Should Be Revised to Include a Preservice Training Requirement for University Interns.

NCLB requires that an intern receive "high-quality professional development that is sustained, intensive, and classroom-focused" *before* teaching. 34 C.F.R. § 200.56(a)(2)(ii)(A)(1). At a minimum, district and university interns must complete some form of "sustained, intensive, and classroom-focused" preservice training. While the Standards specify that district interns must complete 120 clock hours or 6 semester units of training in child development and teaching methods prior to entering the classroom (Standards at 10-11), they include no such precondition for university interns. The Standards do not require that a university intern have any training or experience in the classroom *prior* to becoming the teacher of record and taking on full teaching responsibilities. We urge the Commission to revise the

Standards so that university interns are, at a minimum, explicitly required to complete the same level of preservice training as district interns prior becoming the teacher of record: 120 clock hours or 6 semester units of training in child development and the methods of teaching the subjects and grade levels assigned.

2. Standards 7 and 13 Should be Revised to Require That All Interns Assigned to Teach English Learners Complete Program Requirements Related to Teaching ELs Prior to Becoming the Teacher of Record.

Any teacher assigned to teach ELs as the teacher of record must possess the statutorily-recognized certificate or credential authorizing this teaching assignment and signifying that the teacher has received the specialized training to teach this subpopulation of students. Without this certificate and additional training, the teacher is misassigned. Cal. Educ. Code § 44258.9(b)(1); § 33126(b)(5)(B); § 35186(h)(2). CTC Leaflet CL-622, “Serving English Learners,” lists the following intern credentials as authorizing service to ELs in an ELD or SDAIE setting: (1) University Internship Credential with EL Authorization or CLAD Emphasis and (2) District Intern Credential with EL Authorization.³

In order to comply with the NCLB regulations as well as existing statutory requirements for the embedding of EL training in teacher preparation (*see* Cal. Educ. Code § 44259.5), intern candidates must complete preservice training in the methods of teaching ELs *prior* to serving as the teacher of record in a classroom with ELs. This preservice training must meet Standard 7 (Preparation to Teach Reading-Language Arts) and Standard 13 (Preparation to Teach English Learners). Thus, the preservice training must include instruction in “materials, methods, and strategies for English language development;” “linguistic development, first and second language acquisition and how first language literacy connects to second language development;” “instructional practices that promote English language development;” and “instructional strategies designed to make grade-appropriate or advanced curriculum comprehensible to English learners.” Accordingly, Standards 7 and 13 must be revised to include explicit requirements pertaining to internship programs. Although we are aware that the Commission has used funding incentives to encourage intern programs to provide EL preservice training to interns, the Commission must *ensure* that all English Learners—even those currently taught by an intern teacher—are being taught by a teacher who has received the specialized training necessary to teach effectively this subpopulation of students *prior* to becoming the teacher of record. Indeed, as the Commission staff found last year upon implementing a measure to incentivize intern programs to offer EL-preservice training, there was wide variation in the type of EL preservice training being offered, with some programs offering eight hours or less of such training.⁴ The Commission should require, in its Standards and by regulation, at least 40 hours of EL preservice training, for a total of 160 hours of preservice training overall (*see* discussion *supra*). Indeed, as of January 1, 2007, there is available additional funding to support the implementation of this level of preservice training.⁵

³ We note that the EL authorizations for interns listed on Leaflet CL-622 are not authorized by statute. Thus, intern teachers assigned to teach ELs, who do not have supplemental emergency EL authorization, are technically misassigned.

⁴ We understand the Commission staff have informally sought to ensure that programs offered more than 8 hours of EL preservice training. Not only is 9 hours of EL training far too low a standard, but, as noted, the EL preservice training requirements need to be set forth in the Standards and by regulation.

⁵ *See* SB 1209 (Scott) (2006); Cal. Educ. Code § 44387.

3. The Standards Must be Revised to Require a Higher Standard for Supervision of Intern Teachers, as Required by NCLB and Williams.

NCLB’s implementing regulations require that each intern “participates in a program of *intensive* supervision that consists of *structured* guidance and *regular ongoing* support for teachers or a teacher mentoring program.” 34 C.F.R. § 200.56(a)(2)(ii)(A)(2) (emphasis added). Section 7801(42) of the NCLB Act itself provides a clear definition of what a “teacher mentoring” program must include:

The term “teacher mentoring” means activities that

(A) consist of *structured guidance and regular and ongoing support* for teachers, especially beginning teachers, that—

(i) are designed to help the teachers continue to improve their practice of teaching and to develop their instructional skills; and

(ii) *as part of an ongoing developmental induction process—*

(I) involve the *assistance of an exemplary teacher* and other appropriate individuals from a school, local educational agency, or institution of higher education; and

(II) *may include coaching, classroom observation, team teaching, and reduced teaching loads; and*

(B) may include the establishment of a partnership by a local educational agency with an institution of higher education, another local educational agency, a teacher organization, or another organization. 20 U.S.C. § 7801(42) (emphasis added).

As Congress defined it, “structured guidance and regular and ongoing support” for interns requires intern programs to provide teachers, *inter alia*, with (1) “an ongoing developmental induction process,” (2) “the assistance of an exemplary teacher,” as this term is defined in the statute (see discussion below) and, finally, (3) support which “may include coaching, classroom observation, team teaching, and reduced teaching loads.”

The Commission’s Standards, however, fail to require intern programs to provide “intensive supervision that consists of structured guidance and regular ongoing support.” For example, Standard 6 (Advice and Assistance) merely notes that intern teachers “should have. . . the support of one or more mentor teachers” and requires the development of an individual professional development plan to “include[] the provision for mentoring experiences” (Standards at 25). However, the Standards fail to specify what this “mentoring” and “support” must include or who will provide it. Similarly, Standard 15(g) (Supervised Fieldwork in the Program) requires that the interns receive “site-based supervision of instruction” (Standards at 56) but does not specify what this “supervision” must include nor who will provide it.

The California Legislature has created a teacher induction process—the Beginning Teacher Support and Assessment System (“BTSA”)—which defines the contours of minimally acceptable supervision and can serve as a guide in revising the Standards. *See* Cal. Educ. Code § 44279.1(b). The teacher induction programs must “meet the Standards of Quality and Effectiveness for Beginning Teacher Support and Assessment” adopted by the Commission. *Id.* At a minimum, these BTSA Standards include “informal contact (weekly) and more structured formal contact (monthly); “dedicated time in the form of released time, reduced teaching load, and/or joint planning periods” for the mentor teacher and intern teacher; and an intern teacher to

mentor teacher ratio of no more than 4 to 1 for full-time classroom teachers with a reduced load, or 12 to 1 for a full-time mentor. *See California Commission on Teacher Credentialing, Standards for Quality and Effectiveness for Beginning Teacher Support and Assessment Programs*, Standard 10. The BTSA Standards for mentoring should serve as a model for the Commission as it undertakes a revision of the *Standards of Quality and Effectiveness for Teacher Preparation Programs for Preliminary Multiple and Single Subject Teaching Credentials* to include a supervision and mentoring component for intern programs that is consistent with the requirements of NCLB and *Williams*.

4. The Standards Must be Revised to Require That Mentoring and Supervision of Intern Teachers be Provided by an “Exemplary Teacher” as Defined in NCLB (i.e. One With at Least 5 Years Experience).

NCLB and its implementing regulations mandate that the support and supervision of intern teachers be provided by an “exemplary teacher.” 20 U.S.C. § 7801(42). Further, Section 9101(19) of the Act defines “exemplary teacher”:

The term “exemplary teacher” means a teacher who—

- (A) is a highly qualified teacher such as a master teacher;
- (B) has been teaching for at least 5 years in a public or private school or institution of higher education;
- (C) is recommended to be an exemplary teacher by administrators and other teachers who are knowledgeable about the individual’s performance;
- (D) is currently teaching and based in a public school; and
- (E) assists other teachers in improving instructional strategies, improves the skills of other teachers, performs teacher mentoring, develops curricula, and offers other professional development. 20 U.S.C. § 7801(19).

In contrast, Standard 16 (Selection of Fieldwork Sites and Qualifications of Field Supervisors) requires that supervising teachers “hold a valid credential that authorizes the teaching assignment” (Standard 16(d)) and be selected based on “knowledge of state-adopted content standards for students and effectiveness in collaborating and communicating with other professional teachers” (Standard 16(c)). Furthermore, as a precondition for district intern programs, the Standards require that “guidance and assistance” of intern teachers be provided by (1) “a certificated employee who has been designated as a mentor teacher, (2) “a certificated employee who has been selected through a competitive process...”, or (3) a university supervisor (Standards at 10). Thus, under the current Standards, an intern teacher could be supervised and mentored by a similarly-inexperienced teacher, such as another intern. Although there is some overlap between the supervisor/mentor teacher requirements established in the Standards and those mandated by NCLB, further clarification is required in the Standards to ensure that intern teachers are supervised by an experienced teacher who meets the definition of “exemplary” pursuant to NCLB—i.e. a “highly qualified” teacher, currently teaching in a public school, with at least 5 years teaching experience.

THE COMMISSION MUST PROMULGATE INTERNSHIP CREDENTIAL REGULATIONS.

To ensure that all California students are receiving a quality education, particularly low-income, students of color who are disproportionately taught by intern teachers, California must

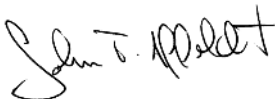
have high quality internship programs. California's current district and university internships are not in accordance with NCLB mandates and the *Williams* requirements that require high quality internship programs with focused mentorship, training and support. *See* Cal. Educ. Code §§ 44325, 44453. Moreover, the Commission has only published leaflets and Standards regarding internships (*see, e.g.*, CTC Leaflets CL-402A, CL-707B, CL-708, CL-709), which were not promulgated in accord with the rulemaking process required by the *California Administrative Procedures Act*. *See Californians for Justice v. CTC* (S.F. Super. Ct. Case No. CPF-05-505517) (finding the Individualized Internship Certificate, published only in a leaflet form, was in violation of the California APA and therefore void). Thus, the Commission needs to promulgate regulations, in accordance with the public rulemaking process, that will ensure California's internship programs meet federal and state mandates.

In October 2005, the Commission announced a public hearing on December 1, 2005 on proposed additions to sections 80033 and 80033.1 of the California Code of Regulations. These regulations pertain to internship credentials. Public Advocates submitted comments on behalf of the community-based organizations Californians for Justice, California ACORN, Community Asset Development Redefining Education (CADRE), Youth Together, and Escuelas Si! Pintas No! Central Valley Youth Organizing for Equal Justice and Education (ESPINO). The Commission delayed the hearing and has not since noticed the regulations for any upcoming meetings.

As we understand it, one reason for the Commission's delay was pending legislation pertaining to internships, in particular Senate Bill 1209 (Scott), which has now been chaptered. Neither Senate Bill 1209 nor any other bill prevents the Commission from promulgating necessary regulations on internships immediately. Senate Bill 1209 incentivizes districts to increase mentorship, support, and training of interns in hard-to-staff schools by making funding dependent on internship program improvements. The Commission's regulations would apply to all intern programs to ensure they are compliant with existing law, independent of funding incentives. There is no reason to delay; the Commission should notice the internship regulations for rulemaking in compliance with the Administrative Procedures Act.

We support the staff's recommendation regarding Item 6D that the Commission "work[] with stakeholders to review the adopted preliminary program standards to ensure adequate language related to the delivery of the preliminary preparation program through an intern model" and would welcome the opportunity to be included among the stakeholders. We look forward to hearing from you soon and to working together on these issues.

Sincerely,



John T. Affeldt
Managing Attorney



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cc: Mary Armstrong, General Counsel
Dale Janssen, Executive Director