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# 6A

## Information

### *Credentialing and Certificated Assignments Committee*

#### **Proposed Amendments and Additions to 5 California Code of Regulations Pertaining to the Education Specialist Instruction Credential**

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**Executive Summary:** This agenda item will present proposed amendments and additions pertaining to the Education Specialist Credential.

**Recommended Action:** For information only

**Presenter:** Terri H. Fesperman, Consultant, Certification, Assignment and Waivers Division

**Strategic Plan Goal: 1**

**Promote educational excellence through the preparation and certification of professional educators**

- ◆ Grant credentials, certificates and permits as set out in regulation and statute

January 2011

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# **Proposed Amendments and Additions to 5 California Code of Regulations Pertaining to the Education Specialist Instruction Credential**

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## **Introduction**

This agenda item presents amendments and additions to Title 5 of the California Code of Regulations pertaining to the Education Specialist Instruction Credential. In 2009, the Commission proposed regulations for a new Education Specialist teaching authorization in Communication Development. This section was withdrawn in summer 2010 after concern was expressed about the name of the new authorization. Following discussions with employers and professional organizations, a new title of Language and Academic Development (LAD) was developed.

The primary proposed change is to add an authorization for the Language and Academic Development specialty area for the Education Specialist Instruction Credential. In Title 5 sections 80047 through 80047.9, the LAD specialty area authorization is included within the Federal Disability category areas as well as previously approved special education authorizations.

## **Background**

In June 2006, the Commission directed staff to begin the review and revision of the structure and requirements for the Special Education Teaching and Services Credentials and Added Authorizations. Later that summer the State Budget Act included funds to carry out the review and the passage of SB 1209 (Chap. 517, Stats. 2006) authorizing the Commission to study the structure and requirements for the Education Specialist and Special Education Services Credentials.

In December 2007, the Commission approved the *Report to the Governor and Legislature on the Study of Special Education Certification* which contained 25 recommendations for modifications and improvements for Special Education Teaching and Services Credentials and Added Authorizations. A Commission-established Design Team had the responsibility for developing a set of proposed *Standards of Program Quality and Effectiveness* for all Education Specialist and Services Credentials, credential authorization statements for teaching and services credentials, and added authorization in special education.

In response to the repeated calls for a special education teaching authorization that focuses on communication, language, and literacy, the Workgroup and Design Team recommended the addition of an Education Specialist teaching authorization that focuses on those communication deficiencies that impede academic achievement. At the December 2008 meeting, the Commission approved the proposed Education Specialist: Communication Development teaching authorization. The Communication Development authorization was included in

proposed regulations in 2009 but the authorization was withdrawn in summer 2010 after concern was expressed about the name of the new authorization.

The California Speech-Language-Hearing Association (CSHA) and Speech-Language Pathologists (SLP) expressed concerns about the similarity of the title “Communication Development” and the Communication Disorders or Communication Sciences degree programs offered at colleges and universities. The concern was expressed that individuals, including parents, would confuse the two distinct roles—the teacher who works with students who have been identified as having a language development disability and the SLP who provides services to the students who have been identified as having a language disorder. Commission staff met with CSHA leadership and all agreed on changing the title of the new authorization to the Education Specialist Credential in Language and Academic Development.

At the November 2010 Commission meeting, staff presented an agenda item entitled “Discussion of the Proposed New Education Specialist Teaching Credential Specialty Area Authorization” (<http://www.ctc.ca.gov/commission/agendas/2010-11/2010-11-2D.pdf>) which detailed the difference between the SLP Services Credential and the new LAD teaching authorization. The proposed authorization included in the November agenda item stated that the LAD authorization would not authorize instruction for any specific federal disability category but rather to teach students with specific identified instructional needs in language development across all the disability categories except for the Speech or Language Impairment category.

In discussions with employers following the November Commission meeting, there are four areas within the Federal disability category of Speech or Language Impairment in which students may qualify for special education services: articulation disorder; abnormal voice; fluency disorders; and language disorder. While the first three areas clearly are for students needing speech therapy services provided by the holder of a SLP Services Credential, the last area, language disorder, is one that the student could be taught by the holder of a LAD authorization to assist the student in their academic communication and language needs. In addition, many of these students would also need speech therapy from an SLP Services Credential holder. Students who are eligible under the category of speech and language impairment may receive instructional services from the holder of the LAD authorization for academic support, in addition to, not instead of, speech and language services.

In December and January, Commission staff met with CSHA representatives and employer associations concerning this possible exception for the language disorder area of the Speech or Language Impairment category. All work collaboratively to create the language in the proposed regulations section 80048.6(c)(8) for the authorization of the LAD specialty area which includes the language disorder area of Speech or Language Impairment federal disability area. The chart that was included in the November 2010 agenda that detailed instructional services that may be provided has been updated and is included in the Appendix with an additional chart showing the breakdown for Speech or Language Impairment areas, and Title 5 section 3030 which falls under the authority of the California Department of Education.

Like all Education Specialist Teaching Authorizations, those holding the Language and Academic Development authorization may be the primary teacher of record, conduct educational assessments authorized by the credential, and provide resource services as well as collaboration,

consultation, and co-teaching services in inclusive classroom setting. They are also authorized to serve as case managers, inclusion specialists and provide instruction in a variety of group settings and sizes if the local employer job duties fall within the authorization of the new specialty area. Teachers holding this authorization would serve students identified by an Individualized Education Program (IEP) who require services to support communication and social interaction skill development. The holder may also reinforce student’s communication and language development as a teacher in an academic setting.

The Special Education Workgroup and Design Team emphasized that the new teaching authorization does not replace the current Speech-Language Pathology Services Credential. It is important to understand that the Language and Academic Development teacher and the SLP services provider will work collaboratively much like all other special education teachers work with SLP providers when the students the individual teaches have identified needs in the area of speech and language therapy.

The purpose of the Education Specialist credential in Language and Academic Development is to provide highly needed support for academic and social success for special needs students. Individuals will be prepared to enhance skills in literacy, language and communication for special needs students. By incorporating the diagnostic and remedial skills of a general education reading specialist with the pragmatic and developmental skills of an Education Specialist serving Mild/Moderate students, the added components of language and communication skills assure that gaps are filled and missing links are found for children with special needs.

**Proposed Additions and Amendments**

Note: Specific changes are outlined in detail on the side column of the text of the regulations below.

Proposed Regulation Changes	Rationale
<p><b>§80047. Credentials, Certificates, and Authorizations to Provide Instructional Services to Students with Primary Disabilities: Specific Learning Disability or Mental Retardation (Mild/Moderate).</b>  <u> Holders of the listed credentials, certificates, and authorizations are authorized to teach students with mild or moderate disabilities in which the primary disability is "specific learning disability" as defined in subsection 300.8(c)(10) of Title 34 Code of Federal Regulations, Subpart A or "mental retardation" as defined in subsection 300.8(c)(6) of Title 34 Code of Federal Regulations, Subpart A.</u></p> <p>(a) Education Specialist Instruction Credential: Mild/Moderate Disabilities</p> <p>(b) Education Specialist Instruction Credential, <u>Certificate</u>, and Added Authorization: Early Childhood Special Education</p> <p>(c) Special Education Specialist Instruction Credential for the</p>	<p><i>Title and opening</i> Title and subsection are updated as the section includes ‘certificates’ and ‘authorizations’</p> <p>The title of the ECSE document has been changed to ‘added authorization’, there remain individuals with valid ‘certificate’ documents</p> <p><i>(b)</i> ‘Certificate’ added to include all document types issued in ECSE</p>

<p>Learning Handicapped</p> <p>(d) Standard Teaching Credential with the Minor--Mentally Retarded</p> <p>(e) Restricted Special Education Credential--Educable Mentally Retarded</p> <p>(f) Limited Specialized Preparation Credential--Mentally Retarded</p> <p>(g) Special Secondary Credential--Mentally Retarded</p> <p>(h) Exceptional Children Credential--Mentally Retarded</p> <p>(i) <u> Holders of the listed credential are authorized to teach students who fall within the disability categories in this section to students with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas</u></p> <p><u>(1) Education Specialist Instruction Credential: Language and Academic Development</u></p> <p>NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44265 and 44343, Education Code; 34 C.F.R. 300.8 (c)(6) and (10); and 20 USC 1401(3), (14), (15), (16), (29) and (30).</p> <p><b><u>§80047.1. Credentials, Certificates, and Authorizations to Provide Instructional Services to Students with Primary Disability: Mental Retardation (Moderate/Severe).</u></b></p> <p>Holders of the listed credentials, certificates, and authorizations are authorized to teach students with moderate or severe disabilities in which the primary disability is "mental retardation" as defined in subsection 300.8(c)(6) of Title 34 Code of Federal Regulations, Subpart A.</p> <p>(a) Education Specialist Instruction Credential: Moderate/Severe Disabilities</p> <p>(b) Education Specialist Instruction Credential, Certificate, and Added Authorization: Early Childhood Special Education</p> <p>(c) Special Education Specialist Instruction Credential for the Severely Handicapped</p>	<p>(i) Proposed new LAD authorization area that authorizes providing instructional services to students within this category is added</p> <p><i>Title and opening</i> Title and subsection are updated as the section includes 'certificates' and 'authorizations'</p> <p>The title of the ECSE document has been changed to 'added authorization', there remain individuals with valid 'certificate' documents</p> <p>(b) 'Certificate' added to include all document types issued in ECSE</p>
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<p>(d) Standard Teaching Credential with the Minor--Mentally Retarded</p> <p>(e) Restricted Special Education Credential--Trainable Mentally Retarded</p> <p>(f) Limited Specialized Preparation Credential--Mentally Retarded</p> <p>(g) Special Secondary Credential--Mentally Retarded</p> <p>(h) Exceptional Children Credential--Mentally Retarded</p> <p>(i) <u>Holders of the listed credential are authorized to teach students who fall within the disability category in this section to students with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas</u></p> <p><u>(1) Education Specialist Instruction Credential: Language and Academic Development</u></p> <p>NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44265 and 44343, Education Code; 34 C.F.R. 300.8(c)(6); and 20 USC 1401(3), (14), (15), (16), (29) and (30).</p> <p><b><u>§80047.2. Credentials, Certificates, and Authorizations to Provide Instructional Services to Students with Primary Disability: Emotional Disturbance.</u></b></p> <p>(a) <u>Holders of the listed credentials, certificates, and authorizations</u> are authorized to teach students with disabilities in which the primary disability is "emotional disturbance" as defined in subsection 300.8(c)(4) of Title 34 Code of Federal Regulations, Subpart A.</p> <p>(1) Education Specialist Instruction Credential: Mild/Moderate Disabilities</p> <p>(2) Education Specialist Instruction Credential: Moderate/Severe Disabilities</p> <p>(3) Education Specialist Instruction Credential, <u>Certificate</u>, and Added Authorization: Early Childhood Special Education</p> <p>(4) Special Education Specialist Instruction Credential for the</p>	<p>(i) Proposed new LAD authorization area that authorizes providing instructional services to students within this category is added</p> <p><i>Title and (a)</i> Title and subsection are updated as the section includes ‘certificates’ and ‘authorizations’</p> <p>The title of the ECSE document has been changed to ‘added authorization’, there remain individuals with valid ‘certificate’ documents</p> <p><i>(a)(3)</i> ‘Certificate’ added to include all document types issued in ECSE</p>
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<p style="text-align: center;">Severely Handicapped</p> <p>(5) <u>Emotional Disturbance Added Authorization in Special Education</u></p> <p>(6) <u>Holders of the listed credential are authorized to teach students who fall within the disability category in this section to students with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas</u></p> <p style="padding-left: 40px;">(a) <u>Education Specialist Instruction Credential: Language and Academic Development</u></p> <p>(7) <u>The special education credentials, certificates, and authorizations, other than the credentials and authorization in (1), (2), and (4), above, listed in Sections 80047 and 80047.1, provided the following conditions have been met:</u></p> <p style="padding-left: 40px;">(A) The holder of the special education credential has taught full-time for at least one year prior to September 1, 1991 in a special day class in which the primary disability was emotional disturbance, and</p> <p style="padding-left: 40px;">(B) Has received a favorable evaluation or recommendation to teach a special day class with the primary disability of emotional disturbance by the local employing agency.</p> <p>(b) The holder of one of the special education credentials listed in Sections 80047 and 80047.1 who does not meet the requirements of (a) above shall be authorized to teach in a special day class in which the primary disability is emotional disturbance provided the following requirement is met: Completion of a Commission-approved program for students identified with emotional disturbance.</p> <p>(c) An individual who has been assigned on the basis of (a)(<del>5</del>) or (b) prior to July 1, 2010, shall be authorized to continue in such assignment. Effective July 1, 2010, individuals shall not qualify under the provisions of (a)(<del>5</del>) or (b).</p> <p>NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44265 and 44343, Education Code; 34 C.F.R. 300.8(c)(4) and 20 USC 1401(3), (14), (15), (16), (29) and (30).</p>	<p>(a)(5) Emotional Disturbance authorization approved in 2009 is added to the list</p> <p>(a)(6) Proposed new LAD authorization area that authorizes providing instructional services to students within this category is added</p> <p>(a)(7) ‘Certificates’ and ‘authorizations’ added as these documents are in sections 80047 and 80047.1</p> <p>Deleting ‘and authorization’ as only credentials are listed in subsections (1), (2), and (4) of section 80047.2(a)</p> <p>(c) Updated renumbered section</p>
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<p><b>§80047.3. Credentials, Certificates, and Authorizations to Provide Instructional Services to Students with Primary Disability: Multiple Disabilities.</b></p> <p>Holders of the listed credentials, <u>certificates, and authorizations</u> are authorized to teach students with disabilities in which the primary disability is "multiple disabilities" as defined in subsection 300.8(c)(7) of Title 34 Code of Federal Regulations, Subpart A.</p> <ul style="list-style-type: none"> <li>(a) Education Specialist Instruction Credential: Moderate/Severe Disabilities</li> <li>(b) Education Specialist Instruction Credential: Physical and Health Impairments</li> <li>(c) Education Specialist Instruction Credential, <u>Certificate</u>, and Added Authorization: Early Childhood Special Education</li> <li>(d) Special Education Specialist Instruction Credential for the Severely Handicapped</li> <li>(e) Standard Teaching Credential with the Minor--Mentally Retarded</li> <li>(f) Restricted Special Education Credential--Trainable Mentally Retarded</li> <li>(g) Limited Specialized Preparation Credential--Mentally Retarded</li> <li>(h) Special Secondary Credential--Mentally Retarded</li> <li>(i) Exceptional Children Credential--Mentally Retarded</li> <li>(j) Special Education Specialist Instruction Credential for the Physically Handicapped</li> <li>(k) Standard Teaching Credential with the Minor--Orthopedically Handicapped, including Cerebral Palsied</li> <li>(l) Restricted Special Education Credential--Orthopedically Handicapped, including the Cerebral Palsied</li> <li>(m) Limited Specialized Preparation Credential--Orthopedically Handicapped, including the Cerebral Palsied</li> <li>(n) Exceptional Children Credential--Orthopedically</li> </ul>	<p><b>Title and opening</b> Title and subsection are updated as the section includes ‘certificates’ and ‘authorizations’</p> <p>The title of the ECSE document has been changed to ‘added authorization’, there remain individuals with valid ‘certificate’ documents</p> <p>(c) ‘Certificate’ added to include all document types issued in ECSE</p>
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<p>Handicapped, including the Cerebral Palsied</p> <p><u>(o) Holders of the listed credential are authorized to teach students who fall within the disability categories in this section to students with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas</u></p> <p><u>(1) Education Specialist Instruction Credential: Language and Academic Development</u></p> <p>NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44265 and 44343, Education Code; 34 C.F.R. 300.8(c)(7); and 20 USC 1401(3), (14), (15), (16), (29) and (30).</p> <p><b><u>§80047.4. Credentials, Certificates, and Authorizations to Provide Instructional Services to Students with Primary Disability: Autism.</u></b></p> <p><u>(a) Holders of the listed credentials, certificates, and authorizations are authorized to teach students with disabilities in which the primary disability is "autism" as defined in subsection 300.8(c)(1) (autistic) of Title 34 Code of Federal Regulations, Subpart A.</u></p> <p>(1) Education Specialist Instruction Credential: Moderate/Severe Disabilities</p> <p>(2) Clinical or Rehabilitative Services Credential in Language, Speech and Hearing, with Special Class Authorization</p> <p>(3) <u>Speech-Language Pathology Services Credential in Language, Speech and Hearing, with Special Class Authorization</u></p> <p>(4) Special Education Specialist Instruction Credential for the Severely Handicapped</p> <p>(4<del>5</del>) Special Education Specialist Credential for the Communication Handicapped provided the following conditions have been met:</p> <p>(A) The holder has taught full-time for at least one year prior to September 1, 1991 in a special day class in which the primary disability was autism, and has received a favorable evaluation or recommendation to</p>	<p>(o) Proposed new LAD authorization area that authorizes providing instructional services to students within this category is added</p> <p><i>Title and (a)</i> Title and subsection are updated as the section includes ‘certificates’ and ‘authorizations’</p> <p>The title of the ECSE document has been changed to ‘added authorization’, there remain individuals with valid ‘certificate’ documents</p> <p><i>(a)(3)</i> The Speech-Language Pathology Credential in section 80048.9 is added to list of documents</p> <p><i>(a)(4) and (5)</i> Subsections renumbered</p>
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<p>teach a special day class with the primary disability of autism by the local employing agency.</p> <p>(B) An individual who has been assigned on the basis of (a)(45)(A) prior to July 1, 2010, shall be authorized to continue in such assignment. Effective July 1, 2010, no new individuals shall qualify under the provisions of (a)(45)(A).</p> <p>(56) Education Specialist Instruction Credential, Certificate, and Added Authorization: Early Childhood Special Education</p> <p>(67) Education Specialist Instruction Credential: Deaf and Hard-of-Hearing, Mild/Moderate Disabilities, Physical and Health Impairments, and Visual Impairments if the individual has completed the autism content found in section 80048.6(b)(89)</p> <p>(78) Autism Spectrum Disorders Added Authorization in Special Education</p> <p>(9) <u> Holders of the listed credential are authorized to teach students who fall within the disability category in this section to students with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas</u></p> <p><u>(a) Education Specialist Instruction Credential: Language and Academic Development</u></p> <p>NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44265, 44265.3, 44268, and 44343, Education Code; 34 C.F.R. 300.8 (c)(1); and 20 USC 1401(3), (14), (15), (16), (29) and (30).</p> <p><b>§80047.5. Credentials to Provide Instructional Services to Students with Primary Disability: Speech or Language Impairment.</b> Holders of the listed credentials are authorized to teach students with disabilities in which the primary disability is "speech or language impairment" as defined in subsection 300.8(c)(11) of Title 34 Code of Federal Regulations, Subpart A.</p> <p>(a) Special Education Specialist Instruction Credential for the Communication Handicapped</p>	<p>(a)(5)(B) Subsections noted are updated due to renumbering</p> <p>(a)(6) 'Certificate' added to include all document types issued in ECSE</p> <p>(a)(7) Subsection renumbered and the subsection of 80048.6 updated due to change</p> <p>(a)(8) Subsection renumbered</p> <p>(a)(9) Proposed new LAD authorization area that authorizes providing instructional services to students within this category is added</p>
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<p>(b) Clinical or Rehabilitative Services Credential in Language, Speech and Hearing with the Special Class Authorization</p> <p>(c) <u>Speech-Language Pathology Services Credential in Language, Speech and Hearing, with Special Class Authorization</u></p> <p>(d) Standard Teaching Credential with the Minor—Speech and Hearing Handicapped</p> <p>(<del>e</del>) Restricted Special Education Credential--Speech and Hearing Therapy</p> <p>(<del>e</del>f) Limited Specialized Preparation Credential--Speech and Hearing Handicapped</p> <p>(<del>f</del>g) Special Secondary Credential--Correction of Speech Defects</p> <p>(<del>g</del>h) Exceptional Children Credential--Speech Correction and Lip Reading</p> <p>(i) <u> Holders of the listed credential are authorized to teach students with expressive or receptive language disorders who fall within the disability category in this section to students with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas</u></p> <p>(1) <u>Education Specialist Instruction Credential: Language and Academic Development</u></p> <p>NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44265, 44265.5, 44268 and 44343, Education Code; 34 C.F.R. 300.8 (c)(11); and 20 USC 1401(3), (14), (15), (16), (29) and (30).</p> <p><b>§80047.6. Credentials to Provide Instructional Services to Students with Primary Disability: Deafness or Hearing Impairment.</b></p> <p>Holders of the listed credentials are authorized to teach students with disabilities in which the primary disability is "deafness" or "hearing impairment", as defined in subsections 300.8(c)(3) and 300.8(c)(5) of Title 34 Code of Federal Regulations, Subpart A.</p> <p>(a) Education Specialist Instruction Credential: Deaf and Hard-of-Hearing</p>	<p>(c) The Speech-Language Pathology Credential in section 80048.9 is added to list of documents</p> <p>(d) <i>through</i> (h) Subsections relettered</p> <p>(i) Proposed new LAD authorization area that authorizes providing instructional services to students within this category is added</p>
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<p>(b) Special Education Specialist Instruction Credential for the Communication Handicapped</p> <p>(c) Standard Teaching Credential with the Minor--Deaf and Severely Hard-of-Hearing</p> <p>(d) Restricted Special Education Credential--Deaf and Severely Hard-of-Hearing</p> <p>(e) Limited Specialized Preparation Credential--Deaf and Severely Hard-of-Hearing</p> <p>(f) Special Secondary Credential--Deaf</p> <p>(g) Special Secondary Credential--Lip Reading</p> <p>(h) Exceptional Children Credential--Deaf or Hard-of-Hearing</p> <p>(i) <u> Holders of the listed credential are authorized to teach students who fall within the disability category in this section to students with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas</u></p> <p><u>(1) Education Specialist Instruction Credential: Language and Academic Development</u></p> <p>NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44265, 44265.5(b) and 44343, Education Code; 34 C.F.R. 300.8(b)(3) and 300.8(c)(5); and 20 USC 1401(3), (14), (15), (16), (29) and (30).</p> <p><b>§80047.7. Credentials <u>and Authorizations</u> to Provide Instructional Services to Students with Primary Disability: Deaf-Blindness.</b></p> <p>Holders of the listed credentials <u>and authorizations</u> are authorized to teach students with disabilities in which the primary disability is "deaf-blindness" as defined in subsection 300.8 (c)(2) of Title 34 Code of Federal Regulations, Subpart A.</p> <p>(a) Education Specialist Instruction Credential: Deaf and Hard-of-Hearing</p> <p>(b) Education Specialist Instruction Credential: Visual Impairments</p>	<p>(i) Proposed new LAD authorization area that authorizes providing instructional services to students within this category is added</p> <p><i>Title and opening</i> Title and opening are updated as the list includes ‘authorizations’</p>
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<p>(c) Education Specialist Instruction Credential: Moderate/Severe Disabilities</p> <p>(d) Special Education Specialist Instruction Credential for the Communication Handicapped</p> <p>(e) Special Education Specialist Instruction Credential for the Visually Handicapped</p> <p>(f) Special Education Specialist Instruction Credential for the Severely Handicapped</p> <p>(g) Restricted Special Education--Deaf-Blind, and Severely Hard-of-Hearing</p> <p><u>(h) Deaf-Blind Added Authorization in Special Education</u></p> <p><u>(i) Holders of the listed credential are authorized to teach students who fall within the disability category in this section to students with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas</u></p> <p><u>(1) Education Specialist Instruction Credential: Language and Academic Development</u></p> <p>NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44265, 44265.5, 44343, Education Code; 34 C.F.R. 300.8 (c)(2); and 20 USC 1401(3), (14), (15), (16), (29) and (30).</p> <p><b>§80047.8. Credentials to Provide Instructional Services to Students with Primary Disability: Visual Impairment including Blindness.</b></p> <p>Holders of the listed credentials are authorized to teach students with disabilities in which the primary disability is "visual impairment including blindness" as defined in subsection 300.8(c)(13) of Title 34 Code of Federal Regulations, Subpart A.</p> <p>(a) Education Specialist Instruction Credential: Visual Impairments</p> <p>(b) Special Education Specialist Instruction Credential for the Visually Handicapped</p> <p>(c) Special Education Specialist Instruction Credential for the Physically Handicapped that was issued prior to January 1,</p>	<p><b>(h)</b> Deaf-Blind Authorization approved in 2009 is added to list</p> <p><b>(i)</b> Proposed new LAD authorization area that authorizes providing instructional services to students within this category is added</p>
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<p>1981, on the basis of completing a Commission-approved program in which the focus was the Visually Handicapped</p> <p>(d) Standard Teaching Credential With the Minor--Visually Handicapped</p> <p>(e) Restricted Special Education Credential--Visually Handicapped</p> <p>(f) Limited Specialized Preparation Credential--Visually Handicapped</p> <p>(g) Special Secondary Credential--Partially Sighted Child</p> <p>(h) Special Secondary Credential--Blind</p> <p>(i) Exceptional Children Credential--Visually Handicapped</p> <p>(j) <u> Holders of the listed credential are authorized to teach students who fall within the disability category in this section to students with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas</u></p> <p><u>(1) Education Specialist Instruction Credential: Language and Academic Development</u></p> <p>NOTE: Authority Cited: Section 44225, Education Code. Reference: Sections 44265, 44265.5(a) and 44343, Education Code; 34 C.F.R. 300.8 (c)(13); and 20 USC 1401(3), (14), (15), (16), (29) and (30).</p> <p><b>§80047.9. Credentials, Certificates, and Authorizations to Provide Instructional Services to Students with Primary Disability: Orthopedic Impairment, Other Health Impairment, or Traumatic Brain Injury.</b></p> <p>(a) Holders of the listed credentials are authorized to teach students with disabilities in which the primary disability is "orthopedic impairment", as defined in subsection 300.8(c)(8) of Title 34 Code of Federal Regulations, Subpart A, or "other health impairment" as defined in subsection 300.8(c)(9) of Title 34 Code of Federal Regulations, Subpart A, or "traumatic brain injury" as defined in subsection 300.8(c)(12) of Title 34 Code of Federal Regulations, Subpart A.</p> <p>(1) Education Specialist Instruction Credential: Physical and Health Impairments</p>	<p>(j) Proposed new LAD authorization area that authorizes providing instructional services to students within this category is added</p> <p><i>Title</i> Title updated as the section includes ‘certificates’ and ‘authorizations’</p> <p>The title of the ECSE document has been changed to ‘added authorization’, there remain individuals with valid ‘certificate’ documents</p>
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<p>(2) Special Education Specialist Instruction Credential for the Physically Handicapped</p> <p>(3) Standard Teaching Credential with the Minor-Orthopedically Handicapped, including the Cerebral Palsied</p> <p>(4) Restricted Special Education Credential--Orthopedically Handicapped, including the Cerebral Palsied</p> <p>(5) Limited Specialized Preparation Credential--Orthopedically Handicapped, including the Cerebral Palsied</p> <p>(6) Exceptional Children Credential--Orthopedically Handicapped, including the Cerebral Palsied</p> <p>(b) <u> Holders of the listed credentials, certificates, and authorizations are authorized to teach students with disabilities in which the primary disability is "other health impairment" as defined in subsection 300.8(c)(9) of Title 34 Code of Federal Regulations, Subpart A.</u></p> <p>(1) <u> Education Specialist Instruction Credential: Mild/Moderate Disabilities</u></p> <p>(2) <u> Special Education Specialist Instruction Credential for the Learning Handicapped</u></p> <p>(3) <u> Education Specialist Instruction Credential, Certificate, and Added Authorization: Early Childhood Special Education</u></p> <p>(4) <u> Other Health Impairment Added Authorization in Special Education</u></p> <p>(c) <u> Holders of the listed credentials, certificates, and authorizations are authorized to teach students with disabilities in which the primary disability is "traumatic brain injury" as defined in subsection 300.8(c)(12) of Title 34 Code of Federal Regulations, Subpart A.</u></p> <p>(1) <u> Education Specialist Instruction Credential, Certificate, and Added Authorization: Early Childhood Special Education</u></p> <p>(2) <u> Traumatic Brain Injury Added Authorization in Special Education</u></p>	<p>(b) Subsection is updated as the list includes 'certificates' and 'authorizations' and the Title 34 section was updated</p> <p>(b)(2) Learning Handicapped Specialist Credential is added to list as it was left off in last regulation change</p> <p>(b)(3) Early Childhood Special Education Credential, Certificate, and Added Authorization added to list as was left off in last regulation change</p> <p>(b)(4) Other Health Impairment Authorization approved in 2009 is added to list</p> <p>(c) Subsection added for documents only for traumatic brain injury</p> <p>(c)(1) Early Childhood Special Education Credential, Certificate, and Added Authorization is added to list as was left off in last regulation change</p>
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<p>(d) <u> Holders of the listed authorization are authorized to teach students with disabilities in which the primary disability is "orthopedic impairment", as defined in subsection 300.8(c)(8) of Title 34 Code of Federal Regulations, Subpart A.</u></p> <p><u>(1) Orthopedic Impairment Added Authorization in Special Education</u></p> <p>(e) <u> Holders of the listed credential are authorized to teach students who fall within the disability categories in this section to students with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas</u></p> <p><u>(1) Education Specialist Instruction Credential: Language and Academic Development</u></p> <p>NOTE: Authority Cited: Sections 44225 and 56339, Education Code. Reference: Sections 44265, 44265.5(c) and 44343, Education Code; 34 C.F.R. 300.8(c)(8), (9) and (12); and 20 USC 1401(3), (14), (15), (16), (29) and (30).</p> <p><b>§80048.6. Authorizations for Education Specialist Instruction Credentials and Special Education Added Authorization.</b></p> <p>(a) The following definitions apply to authorizations for Education Specialist Instruction Credentials and Special Education Added Authorizations:</p> <p>(1) “Service across the continuum of program options available”: Pursuant to Education Code Sections 56031, 56360, and 56361, the continuum includes resource rooms or services; special education settings; general education settings; special schools; home/hospital settings; state hospitals; development centers; correctional facilities; non-public, non-sectarian schools and agencies as defined in Education Code Sections 56365 and 56366; and alternative and non-traditional instructional public school settings other than classrooms.</p> <p>(2) “Developmental delay”: Student who needs special education and related services by experiencing a delay in one or more of the following: physical development, cognitive development, communication development, social or emotional development or adaptive development.</p> <p>(3) “Hard-of-hearing or hearing loss includes unilateral or</p>	<p>(c)(2) Traumatic Brain Injury Authorization approved in 2009 is added to list</p> <p>(d) Orthopedic Impairment Authorization approved in 2009 is added to list</p> <p>(e) Proposed new LAD authorization area that authorizes providing instructional services to students within this category is added</p>
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<p>bilateral, whether fluctuating, conductive, sensorineural, and/or auditory neuropathy“: Hearing impairment or hearing loss, whether permanent or fluctuating, that adversely affects a child's educational performance but that is not included under the definition of deafness but may include problems involving the cochlea, the sensory organ of hearing.</p> <p>(4) “Educational Assessment”: Assessment of students in a comprehensive manner within the authorization of the teaching credential or added authorization using multiple sources of information and a variety of strategies that directly measure a student’s performance to meet goals in areas of grade-level academic curriculum and/or functional goals designed to meet the Individualized Education Program (IEP), Individualized Family Service Program, and/or Individualized Transition Plan goals and objectives regarding eligibility and services that directly result from the student’s disability according to state and federal accountability systems. The assessment process may include both formal and informal assessments to evaluate students' educational instruction needs and strengths for the purpose of making accommodations, modifications, and instructional decisions.</p> <p>(5) “Special Education Support”: Support includes participation in the IEP, Individualized Family Service Program, and/or Individualized Transition Plan process including planning and implementation of the student’s IEP, Individualized Family Service Program, and/or Individualized Transition Plan; providing consultative, collaborative, and coordinating <u>specially designed</u> instruction with students, parents, teachers, and other community and school personnel; planning, developing, and implementing instructional program plans relative and within the authorization of the credential or added authorization. Special education support does not include providing <del>speech</del>, <u>language, speech</u> and <u>hearing therapy</u>, orientation and mobility, or audiology services.</p> <p>(b) The following authorizations refer to the disabilities defined in Title 34 Code of Federal Regulations:</p> <p>(1) The Education Specialist Instruction Credential: Mild/Moderate Disabilities authorizes the holder to conduct Educational Assessments related to student’s access to the academic core curriculum and progress towards meeting instructional academic goals, provide</p>	<p>(a)(5) The term ‘specially designed’ are added to align with Education Code section 56031 to clarify the type of instruction</p> <p>The last sentence is rearranged and the term ‘therapy’ is added to appropriately describe the services that are not authorized for the teaching credential</p>
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instruction, and Special Education Support to individuals with a primary disability of specific learning disabilities, mild/moderate mental retardation, other health impairment, and emotional disturbance, in kindergarten, grades 1 - 12 through age 22, and classes organized primarily for adults in services across the continuum of program options available.

(2) The Education Specialist Instruction Credential: Moderate/Severe Disabilities authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of autism, moderate/severe mental retardation, deaf-blind, emotional disturbance, and multiple disabilities, to students in kindergarten, grades 1 - 12 through age 22, and classes organized primarily for adults in services across the continuum of program options available.

(3) The Education Specialist Instruction Credential: Deaf and Hard-of-Hearing authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary or secondary disability of deaf or hard-of-hearing or deaf-blind and services to students with a hearing loss that manifests itself in conjunction with additional disabilities including unilateral or bilateral, whether fluctuating, conductive, sensorineural, and/or auditory neuropathy, to students from birth through age 22, and classes organized primarily for adults in services across the continuum of program options available.

(A) Holders of Education Specialist Credentials in Deaf and Hard-of-Hearing and previously issued credentials authorizing deaf and hard-of-hearing instructional services who were employed prior to July 1, 2010 to provide instructional services in American Sign Language (ASL) to general education students may continue to provide instructional services in the area of ASL. Effective July 1, 2010, no new special education credential holders may qualify using this provision.

(4) The Education Specialist Instruction Credential: Physical and Health Impairments authorizes the holder to conduct

<p>Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of orthopedic impairment, other health impairment, multiple disabilities, and traumatic brain injury, to students from birth through age 22, and classes organized primarily for adults in services across the continuum of program options available.</p> <p>(5) The Education Specialist Instruction Credential: Visual Impairments authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of visual impairment including blind and deaf-blind, to students from birth through age 22, and classes organized primarily for adults in services across the continuum of program options available.</p> <p>(6) The Education Specialist Instruction Credential: Early Childhood Special Education authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, and provide instructional and Special Education Support to students from birth through pre-kindergarten who are eligible for early intervention special education and related services, to individuals with a primary disability in specific learning disabilities, mild/moderate mental retardation, traumatic brain injury, other health impairment, autism, moderate/severe mental retardation, emotional disturbance, and multiple disabilities including developmental delay and a disabling medical condition-in services across the continuum of program options available.</p> <p>(7) The Early Childhood Special Education Added Authorization authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals and provide instructional and special Education Support to students from birth through pre-kindergarten who are eligible for early intervention special education and support with a primary disability in specific learning disabilities, mild/moderate mental</p>	
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<p>retardation, traumatic brain injury, other health impairment, autism, moderate/severe mental retardation, emotional disturbance, and multiple disabilities including developmental delay and a disabling medical condition in services across the continuum of program options available.</p> <p>(8) <u>The Education Specialist Instruction Credential: Language and Academic Development authorizes the holder to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals as defined in subsections 300.8(c)(1) through (10), (12), and (13) and to students with expressive or receptive language disorders within subsection 300.8(c)(11) of Title 34 Code of Federal Regulations, Subpart A, to students with academic communication and language needs in the following areas: language development, school readiness and social skills, and literacy development addressing competencies across the curriculum in listening, speaking, reading, writing, and academic areas, in preschool, kindergarten, in grades 1 - 12 through age 22, and classes organized primarily for adults in services across the continuum of program options available. The Education Specialist Instruction Credential: Language and Academic Development authorizes the holder to provide instructional services to students with academic communication and language needs but it does not take the place of speech and language services as defined in Education Code section 56333.</u></p> <p>(9) Individuals enrolled in an education specialist teacher preparation program on or after January 1, 2010 who complete content in autism spectrum disorders are authorized to conduct Educational Assessments related to student's access to the academic core curriculum and progress towards meeting instructional academic goals, provide instruction, and Special Education Support to individuals with a primary disability of autism as defined in subsection 300.8(c)(1) of Title 34 Code of Federal Regulations, Subpart A, across the continuum of special education program options at the grade and age levels within the specialty area(s) of the education specialist credential held.</p> <p>(910) Individuals who complete an education specialist</p>	<p>(c)(8) The Commission is proposing one new authorization in the area of language and academic development to allow an individual to provide instructional services in content areas to students needing additional assistance in areas such as literary development and academic communication and language skills</p> <p>(c)(9) The subsection is renumbered</p>
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<p>teacher preparation program that includes content for teaching English learners as described in Education Code section 44259.5, are authorized to provide instruction for English language development in grades twelve and below, including preschool, and in classes organized for adults; and specially designed academic instruction in English within the subject area and grade level authorization of the Education Specialist Credential.</p> <p>NOTE: Authority Cited: Section 44225, Education Code. Reference: Sections 44259.5, 44265, 44265.5, 56031, 56360, 56361, 56365, and 56366, Education Code; 34 C.F.R. 300.8 (a), (b), and (c) and 300.39(a)(1)(i); and 20 USC 1401(3), (14), (15), (16), (29) and (30).</p>	<p><i>(c)(10)</i> The subsection is renumbered</p>
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**Next Steps**

The regulations will return at the March 2011 meeting as an action item to set a public hearing date.

## Appendix

### Federal Disability Categories and California's Education Specialist Teaching Authorizations

Federal Disability Categories	LAD	MM	MS	ECSE <sup>1</sup>	DHH	VI	PHI
<b>Autism (AUT):</b> developmental disability significantly affecting verbal and nonverbal communication and social interaction that adversely affects a child's educational performance.	#	*	X	X	*	*	*
<b>Deaf-Blindness (DB):</b> concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness	#		X		X	X	
<b>Deafness and Hearing Impairment (DHH):</b> impairment in hearing or processing linguistic information through hearing, whether permanent or fluctuating, that adversely affects a child's educational performance	#				X		
<b>Emotional Disturbance (ED):</b> An inability to learn that cannot be explained by intellectual, sensory, or health factors, an inability to build or maintain satisfactory interpersonal relationships with peers and teachers that adversely affects a child's educational performance	#	X	X	X			
<b>Mental Retardation (MR):</b> significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a child's educational performance	#	X	X	X			
<b>Multiple Disabilities (MD):</b> means concomitant impairments, the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments.	#		X	X			X
<b>Orthopedic Impairment (OI):</b> severe orthopedic impairment that adversely affects a child's educational performance	#						X
<b>Other Health Impairment (OHI):</b> limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, is due to chronic or acute health problems adversely affects a child's educational performance	#	*		X			X
<b>Specific Learning Disability (SLD):</b> means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia	#	X		X			
<b>Speech or Language Impairment (SLI):</b> a communication disorder, such as an articulation disorder, abnormal voice, or fluency disorder that adversely affects a child's educational performance							
Language disorder: expressive or receptive language disorder that adversely affects a child's educational performance	#						
<b>Traumatic Brain Injury (TBI):</b> an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance.	#			X			X
<b>Visual Impairment (VI):</b> an impairment that, even with correction, adversely affects a child's educational performance	#					X	

X = Programs under both the 1997 and 2009 standards prepare candidates to work with students in this disability category

<sup>1</sup> Birth to Pre-K Only

\* = Programs under the recently adopted standards (2009) prepare candidates to work with students in this disability category

# = Proposed *Education Specialist: Language and Academic Development* programs would prepare candidates to provide academic instruction for students in this disability category **if** the student has an **identified language development disability**. Usually additional services would still need to be provided for students with DB, DHH, MD, OI, OHI, or VI. **Bold** indicates the disability categories that are most likely to be served by an individual holding a LAD

LAD= Language and Academic Development  
DHH=Deaf and Hard of Hearing

MM= Mild/Moderate  
VI= Visual Impairment

MS=Moderate/Severe

ECSE= Early Childhood Special Education  
PHI= Physical and other Health Impairment

Special Education Eligibility Criteria (CDE ) and Education Specialist Teaching Authorizations (Commission Issued)							
5 CCR 3030 - Eligibility Criteria [CDE regulations]	Commission's Teaching Credentials						
	MM	MS	ECSE	VI	DHH	PHI	LAD <sup>2</sup>
(a) A pupil has a <b>hearing impairment</b> , ...					X		#
(b) A pupil has <b>concomitant hearing and visual impairments (Deaf-Blind)</b>				X	X		#
(c) A pupil has a <b>language or speech disorder</b> as defined in Section 56333 of the Education Code, and it is determined that the pupil's disorder meets one or more of the following criteria: <b>(1) Articulation disorder.</b>							
<b>(2) Abnormal Voice.</b> A pupil has an abnormal voice which is characterized by persistent, defective voice quality, pitch, or loudness.							
<b>(3) Fluency Disorders.</b> A pupil has a fluency disorder when the flow of verbal expression including rate and rhythm adversely affects communication between the pupil and listener.							
<b>(4) Language Disorder.</b> The pupil has an expressive or receptive language disorder							X
(d) A pupil has a <b>visual impairment</b> ...				X			#
(e) A pupil has a <b>severe orthopedic impairment</b> ...						X	#
(f) A pupil has limited strength, vitality or alertness, due to <b>chronic or acute health problems (Other Health Impairments)</b> ...	X		X			X	#
(g) A pupil exhibits any combination of the <b>autistic-like behaviors</b> ...	X <sup>1</sup>	X	X	X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>
(h) A pupil has significantly <b>below average general intellectual functioning (Mental Retardation)</b> ...	X	X	X				X
(i) Because of a <b>serious emotional disturbance</b> , ...	X	X	X				#
(j) A pupil has a disorder ( <b>Specific Learning Disorder</b> ) ...	X		X				X

<sup>1</sup>Programs operating under the 2009 standards only    <sup>2</sup>Proposed

X=Programs prepare candidates to teach students in this disability category

# if the student has an identified language development disability, usually additional services would still need to be provided for students with DB, DHH, MD, OI, OHI, or VI.

Federal Disability Categories: Eligibility Criteria	Commission's Teaching Credentials						
	MM	MS	ECSE	VI	DHH	PHI	LAD <sup>2</sup>
<b>Multiple Disabilities</b>		x	x			x	x
<b>Traumatic Brain Injury</b>			x			x	x

Special Education Eligibility Criteria (CDE) and <u>Other Related Services</u> Authorizations (Commission Issued)			
5 CCR 3030 - Eligibility Criteria	Services		
	AUD	O & M	SLP
(a) A pupil has a <b>hearing impairment</b> , ...	X		
(b) A pupil has <b>concomitant hearing and visual impairments</b> ...	X	X	
(c) A pupil has a <b>language or speech disorder</b> as defined in Section 56333 of the Education Code, and it is determined that the pupil's disorder meets one or more of the following criteria: <b>(1) Articulation disorder.</b>			X
<b>(2) Abnormal Voice.</b> A pupil has an abnormal voice which is characterized by persistent, defective voice quality, pitch, or loudness.			X
<b>(3) Fluency Disorders.</b> A pupil has a fluency disorder when the flow of verbal expression including rate and rhythm adversely affects communication between the pupil and listener.			X
<b>(4) Language Disorder.</b> The pupil has an expressive or receptive language disorder			X
(d) A pupil has a <b>visual impairment</b> ...		X	
(e) A pupil has a <b>severe orthopedic impairment</b> ...			
(f) A pupil has limited strength, vitality or alertness, due to <b>chronic or acute health problems (Other Health Impairments)</b> ...			
(g) A pupil exhibits any combination of the <b>autistic-like behaviors</b> ...			
(h) A pupil has significantly <b>below average general intellectual functioning (Mental Retardation)</b> ...			
(i) Because of a <b>serious emotional disturbance</b> , ...			
(j) A pupil has a disorder ( <b>Specific Learning Disorder</b> ) ...			
<b>Federal Disability Categories: Eligibility Criteria</b>			
<b>Multiple Disabilities</b>			
<b>Traumatic Brain Injury</b>			

X=Programs prepare candidates to provide services to students in this disability category

**AUD:** Audiology

**O & M:** Orientation and Mobility

**SLP:** Speech-Language Pathology



5 CCR 3030 - Eligibility Criteria	Teach		Services
	Ed Sp: LAD	SLP w SCA	SLP
(c) A pupil has a <b>language or speech disorder</b> as defined in Section 56333 of the Education Code, and it is determined that the pupil's disorder meets one or more of the following criteria:			
<p><b>(1) Articulation disorder.</b></p> <p>(A) The pupil displays reduced intelligibility or an inability to use the speech mechanism which significantly interferes with communication and attracts adverse attention. Significant interference in communication occurs when the pupil's production of single or multiple speech sounds on a developmental scale of articulation competency is below that expected for his or her chronological age or developmental level, and which adversely affects educational performance.</p> <p>(B) A pupil does not meet the criteria for an articulation disorder if the sole assessed disability is an abnormal swallowing pattern.</p>	No	Yes	Yes
<p><b>(2) Abnormal Voice.</b> A pupil has an abnormal voice which is characterized by persistent, defective voice quality, pitch, or loudness.</p>	No	Yes	Yes
<p><b>(3) Fluency Disorders.</b> A pupil has a fluency disorder when the flow of verbal expression including rate and rhythm adversely affects communication between the pupil and listener.</p>	No	Yes	Yes
<p><b>(4) Language Disorder.</b> The pupil has an expressive or receptive language disorder when he or she meets one of the following criteria:</p> <p>(A) The pupil scores at least 1.5 standard deviations below the mean, or below the 7th percentile, for his or her chronological age or developmental level on two or more standardized tests in one or more of the following areas of language development: morphology, syntax, semantics, or pragmatics. When standardized tests are considered to be invalid for the specific pupil, the expected language performance level shall be determined by alternative means as specified on the assessment plan, or</p> <p>(B) The pupil scores at least 1.5 standard deviations below the mean or the score is below the 7th percentile for his or her chronological age or developmental level on one or more standardized tests in one of the areas listed in subsection (A) and displays inappropriate or inadequate usage of expressive or receptive language as measured by a representative spontaneous or elicited language sample of a minimum of fifty utterances. The language sample must be recorded or transcribed and analyzed, and the results included in the assessment report. If the pupil is unable to produce this sample, the language, speech, and hearing specialist shall document why a fifty utterance sample was not obtainable and the contexts in which attempts were made to elicit the sample. When standardized tests are considered to be invalid for the specific pupil, the expected language performance level shall be determined by alternative means as specified in the assessment plan.</p>	Yes	Yes	Yes

LAD: Proposed *Education Specialist: Language and Academic Development* programs would prepare candidates to provide academic instruction for students in this disability category **if** the student has an **identified language development disability**.

SLP: Speech-Language Pathology

SLP with SCA: Speech-Language Pathology with the Special Class Authorization

## Title 5 section 3030 - Eligibility Criteria

A pupil shall qualify as an individual with exceptional needs, pursuant to Section 56026 of the Education Code, if the results of the assessment as required by Section 56320 demonstrate that the degree of the pupil's impairment as described in Section 3030 (a through j) requires special education in one or more of the program options authorized by Section 56361 of the Education Code. The decision as to whether or not the assessment results demonstrate that the degree of the pupil's impairment requires special education shall be made by the individualized education program team, including assessment personnel in accordance with Section 56341(d) of the Education Code. The individualized education program team shall take into account all the relevant material which is available on the pupil. No single score or product of scores shall be used as the sole criterion for the decision of the individualized education program team as to the pupil's eligibility for special education. The specific processes and procedures for implementation of these criteria shall be developed by each special education local plan area and be included in the local plan pursuant to Section 56220(a) of the Education Code.

- (a) A pupil has a hearing impairment, whether permanent or fluctuating, which impairs the processing of linguistic information through hearing, even with amplification, and which adversely affects educational performance. Processing linguistic information includes speech and language reception and speech and language discrimination.
- (b) A pupil has concomitant hearing and visual impairments, the combination of which causes severe communication, developmental, and educational problems.
- (c) A pupil has a language or speech disorder as defined in Section 56333 of the Education Code, and it is determined that the pupil's disorder meets one or more of the following criteria:
  - (1) Articulation disorder.
    - (A) The pupil displays reduced intelligibility or an inability to use the speech mechanism which significantly interferes with communication and attracts adverse attention. Significant interference in communication occurs when the pupil's production of single or multiple speech sounds on a developmental scale of articulation competency is below that expected for his or her chronological age or developmental level, and which adversely affects educational performance.
    - (B) A pupil does not meet the criteria for an articulation disorder if the sole assessed disability is an abnormal swallowing pattern.
  - (2) Abnormal Voice. A pupil has an abnormal voice which is characterized by persistent, defective voice quality, pitch, or loudness.
  - (3) Fluency Disorders. A pupil has a fluency disorder when the flow of verbal expression including rate and rhythm adversely affects communication between the pupil and listener.
  - (4) Language Disorder. The pupil has an expressive or receptive language disorder when he or she meets one of the following criteria:
    - (A) The pupil scores at least 1.5 standard deviations below the mean, or below the 7th percentile, for his or her chronological age or developmental level on two or more standardized tests in one or more of the following areas of language development: morphology, syntax, semantics, or pragmatics. When standardized tests are considered to be invalid for the specific pupil, the expected language performance level shall be determined by alternative means as specified on the assessment plan, or
    - (B) The pupil scores at least 1.5 standard deviations below the mean or the score is below the 7th percentile for his or her chronological age or developmental level on one or more standardized tests in one of the areas listed in subsection (A) and displays inappropriate or inadequate usage of expressive or receptive language as measured by a representative spontaneous or elicited

language sample of a minimum of fifty utterances. The language sample must be recorded or transcribed and analyzed, and the results included in the assessment report. If the pupil is unable to produce this sample, the language, speech, and hearing specialist shall document why a fifty utterance sample was not obtainable and the contexts in which attempts were made to elicit the sample. When standardized tests are considered to be invalid for the specific pupil, the expected language performance level shall be determined by alternative means as specified in the assessment plan.

- (d) A pupil has a visual impairment which, even with correction, adversely affects a pupil's educational performance.
- (e) A pupil has a severe orthopedic impairment which adversely affects the pupil's educational performance. Such orthopedic impairments include impairments caused by congenital anomaly, impairments caused by disease, and impairments from other causes.
- (f) A pupil has limited strength, vitality or alertness, due to chronic or acute health problems, including but not limited to a heart condition, cancer, leukemia, rheumatic fever, chronic kidney disease, cystic fibrosis, severe asthma, epilepsy, lead poisoning, diabetes, tuberculosis and other communicable infectious diseases, and hematological disorders such as sickle cell anemia and hemophilia which adversely affects a pupil's educational performance. In accordance with Section 56026(e) of the Education Code, such physical disabilities shall not be temporary in nature as defined by Section 3001(v).
- (g) A pupil exhibits any combination of the following autistic-like behaviors, to include but not limited to:
  - (1) An inability to use oral language for appropriate communication.
  - (2) A history of extreme withdrawal or relating to people inappropriately and continued impairment in social interaction from infancy through early childhood.
  - (3) An obsession to maintain sameness.
  - (4) Extreme preoccupation with objects or inappropriate use of objects or both.
  - (5) Extreme resistance to controls.
  - (6) Displays peculiar motoric mannerisms and motility patterns.
  - (7) Self-stimulating, ritualistic behavior.
- (h) A pupil has significantly below average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which adversely affect a pupil's educational performance.
- (i) Because of a serious emotional disturbance, a pupil exhibits one or more of the following characteristics over a long period of time and to a marked degree, which adversely affect educational performance:
  - (1) An inability to learn which cannot be explained by intellectual, sensory, or health factors.
  - (2) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
  - (3) Inappropriate types of behavior or feelings under normal circumstances exhibited in several situations.
  - (4) A general pervasive mood of unhappiness or depression.
  - (5) A tendency to develop physical symptoms or fears associated with personal or school problems.
- (j) A pupil has a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an impaired ability to listen,

think, speak, read, write, spell, or do mathematical calculations, and has a severe discrepancy between intellectual ability and achievement in one or more of the academic areas specified in Section 56337(a) of the Education Code. For the purpose of Section 3030(j):

- (1) Basic psychological processes include attention, visual processing, auditory processing, sensory-motor skills, cognitive abilities including association, conceptualization and expression.
- (2) Intellectual ability includes both acquired learning and learning potential and shall be determined by a systematic assessment of intellectual functioning.
- (3) The level of achievement includes the pupil's level of competence in materials and subject matter explicitly taught in school and shall be measured by standardized achievement tests.
- (4) The decision as to whether or not a severe discrepancy exists shall be made by the individualized education program team, including assessment personnel in accordance with Section 56341(d), which takes into account all relevant material which is available on the pupil. No single score or product of scores, test or procedure shall be used as the sole criterion for the decisions of the individualized education program team as to the pupil's eligibility for special education. In determining the existence of a severe discrepancy, the individualized education program team shall use the following procedures:
  - (A) When standardized tests are considered to be valid for a specific pupil, a severe discrepancy is demonstrated by: first, converting into common standard scores, using a mean of 100 and standard deviation of 15, the achievement test score and the ability test score to be compared; second, computing the difference between these common standard scores; and third, comparing this computed difference to the standard criterion which is the product of 1.5 multiplied by the standard deviation of the distribution of computed differences of students taking these achievement and ability tests. A computed difference which equals or exceeds this standard criterion, adjusted by one standard error of measurement, the adjustment not to exceed 4 common standard score points, indicates a severe discrepancy when such discrepancy is corroborated by other assessment data which may include other tests, scales, instruments, observations and work samples, as appropriate.
  - (B) When standardized tests are considered to be invalid for a specific pupil, the discrepancy shall be measured by alternative means as specified on the assessment plan.
  - (C) If the standardized tests do not reveal a severe discrepancy as defined in subparagraphs (A) or (B) above, the individualized education program team may find that a severe discrepancy does exist, provided that the team documents in a written report that the severe discrepancy between ability and achievement exists as a result of a disorder in one or more basic psychological processes. The report shall include a statement of the area, the degree, and the basis and method used in determining the discrepancy. The report shall contain information considered by the team which shall include, but not be limited to:
    1. Data obtained from standardized assessment instruments;
    2. Information provided by the parent;
    3. Information provided by the pupil's present teacher;
    4. Evidence of the pupil's performance in the regular and/or special education classroom obtained from observations, work samples, and group test scores;
    5. Consideration of the pupil's age, particularly for young children; and
    6. Any additional relevant information.
- (5) The discrepancy shall not be primarily the result of limited school experience or poor school attendance.