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# 21

## Action

### *Public Hearing*

### **Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Cost Recovery Fees for Extraordinary Accreditation Activities**

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**Executive Summary:** This agenda item proposes amendments to Title 5 of the California Code of Regulations sections 80691 and 80692 pertaining to Cost Recovery Fees for Extraordinary Accreditation Activities.

**Recommended Action:** Staff recommends that the Commission adopt the proposed regulations pertaining to Cost Recovery Fees for Extraordinary Accreditation Activities for submission to the Office of Administrative Law.

**Presenters:** Kathryn Polster, Analyst, and Cheryl Hickey, Administrator, Professional Services Division

**Strategic Plan Goal:**

#### ***IV. Operational Effectiveness***

- b) Ensure that current regulations, procedures, and initiatives are appropriately streamlined to meet the Commission's established goals.

February 2019

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# Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Cost Recovery Fees for Extraordinary Accreditation Activities

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## Introduction

This rulemaking action proposes amendments to Title 5 of the California Code of Regulations (CCR) related to Cost Recovery Fees for Extraordinary Accreditation Activities which were originally brought forward to the Commission at the [September 2018](#) meeting for the purpose of scheduling a public hearing prior to submission to the Office of Administrative Law (OAL). [Attachment A](#) contains the September 2018 agenda item in its entirety.

Proposed amendments (available in Attachment A) update terminology and definitions to match the newly strengthened and streamlined accreditation system, remove obsolete fees, add a new fee for joint accreditation visits, and add a new fee for the review of eligibility criteria in the first phase of the revised Initial Institutional Approval (IIA) process. This agenda item does not propose changes to the regulations governing annual accreditation fees.

## Summary of Proposed Amendments

### *Terminology Amendments:*

The definitions section of the regulations has been updated to reflect the new accreditation system and eliminate language that no longer applies to the current system, as well as to clearly define the various types of accreditation team site visits and types of documentation that must be submitted throughout the accreditation cycle.

### *Fee Structure Amendments for Initial Program Review (IPR):*

Amendments to the regulations are being proposed due to the changes in the accreditation system and efforts to update and revise program standards. Currently, the cost recovery fee structure is based on the number of standards required for the submission of a new program. Since program standards have been streamlined and strengthened, the number of standards in a program is no longer indicative of the complexity of elements within the program standards or the efforts needed to review the program. Proposed amendments include categorizing standards based on the type of authorization that results from them (preliminary credential, clear credential, or added authorization) which provides the flexibility needed to continually improve standards without having to amend the fee structure or regulations.

### *Fee Structure Amendments for Initial Institutional Approval (IIA):*

The previous flat fee of \$2,000 for IIA covered the review of preconditions and Common Standards as well as time consulting with prospective institutions and reviewing their documentation. In the previous IIA process, there was a single Commission decision point. However, the current IIA process is now much more rigorous and includes multiple stages for

which documentation is submitted for review and action by the Commission. This new more rigorous review format requires a significant amount of additional staff time. Specifying the fees for specific IIA activities not only recovers the cost of staff time and reviewer travel for these extraordinary accreditation activities, but it is more reflective of the various stages of the new system. Instead of a flat \$2,000 fee the new fee structure more appropriately reflects the work involved in providing assistance to institutions before, during, and after Accreditation 101, reviewing and approving the eligibility requirements, and the Initial Program Review process. Finally, the proposed regulations allow for a \$1,000 per site visit team member for initial focused site visits for provisionally approved institutions. The Commission has historically charged \$1,000 per site visit team member for focused site visits, however the regulations did not explicitly explain the difference between an accreditation focused site visit for an institution already approved by the Commission and an initial focused site visit for a provisionally approved institution.

#### *Fee Structure Amendments for Joint Site Visits:*

At the September 2017 Commission meeting staff presented the updates to CAEP's annual dues formula. CAEP's restructuring of their fees requires the Commission to pay dues which have increased \$2,500 per institution requesting a joint visit. Since joint visits are not a requirement of the accreditation system for the state of California the Commission approved adding the \$2,500 dues to the cost recovery regulations for institutions choosing to have a joint visit.

#### *Deleted Fees:*

The program assessment process has been replaced by program review and streamlined to have only one review session. For this reason, fees associated with more than three reviews are no longer necessary and are proposed to be deleted from the fee structure.

#### **Objectives and Anticipated Benefits of the Proposed Regulations**

The objective is to amend the regulations that permit the Commission to recover costs incurred for extraordinary accreditation activities, while bringing the regulations up to date and in alignment with the new accreditation process and improving their clarity. Amending the regulations will benefit K-12 students in California public schools by ensuring high quality educators. Additionally, the proposed amendments are written to better address prospective revisions to standards.

The Commission anticipates that the proposed amendments will benefit students attending public schools in California by providing resources to perform the Commission's statutorily-mandated accreditation duties, thereby ensuring high quality educator preparation for the instruction of California public school students. Amendments will also provide a way for prospective institutions to pay their IIA fees as they move along, paying for services rendered rather than having to pay all IIA fees at the start of the approval process with the possibility of not completing the process successfully.

The proposed regulations will promote fairness and prevent discrimination by specifying that the cost recovery fees apply to all institutions offering Commission-approved programs,

regardless of agency type. The proposed regulations will also increase openness and transparency by clarifying the cost recovery fees associated with IIA, new program review and accreditation activities in excess of the regularly scheduled data reports, document reviews, and accreditation site visits. The Commission does not anticipate that the proposed regulations will result in the protection of public health and safety, worker safety, or the environment, the prevention of social inequity or an increase in openness and transparency in business.

### **Determination of Inconsistency/Incompatibility with Existing State Regulations**

The Commission has determined that the proposed amendments are not inconsistent or incompatible with existing regulations. There are no other Title 5 CCR sections that specify Cost Recovery Fees for Extraordinary Accreditation Activities associated with Commission-approved programs.

### **Disclosures Regarding the Proposed Actions**

The Commission has made the following initial determinations:

*Costs to any local agency or school districts requiring reimbursement pursuant to Government Code section 17500 et seq.:* School districts, county offices of education and charter schools that are not currently approved to offer educator preparation programs (i.e. that elect to offer a program(s)) will be required to submit fees to cover the cost of IIA and Initial Program Review (IPR). Currently approved institutions pursuing additional Commission-approved programs will also be subject to IPR fees. Institutions may avoid all Cost Recovery Fees for Extraordinary Accreditation Activities (IPR, review of late submissions, etc.) provided new programs are not proposed and accreditation activity requirements are followed in a timely manner.

*Other non-discretionary costs or savings imposed upon local agencies:* None.

*Cost or savings to any state agency:* None.

*Cost or savings in federal funding to the state:* None.

*Significant effect on housing costs:* None.

*Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states:* None.

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

*Cost impacts on a representative private person or business:* Non-Commission approved private/independent education entities that elect to offer a program(s) will be required to submit fees to cover the cost of IIA and IPR. Currently approved institutions pursuing additional Commission-approved programs will also be subject to IPR fees. Institutions may avoid all Cost Recovery Fees for Extraordinary Accreditation Activities (IPR, review of late submissions etc.)

provided new programs are not proposed and accreditation activity requirements are followed in a timely manner.

*Statement of the Results of the Economic Impact Assessment [Govt. Code § 11346.5(a)(10)]*: The Commission concludes that it is:

1. Unlikely that the proposal will create any jobs within the State of California, as there are already 146 institutions operating teacher preparation programs within the state. As new programs and institutions are approved new jobs may be created, however the Commission is unable to determine whether or not jobs will be created and believes that the number of jobs created would be minimal.
2. Unlikely that the proposal will eliminate any jobs within the State of California as there is currently a teacher shortage and teacher preparation programs are busy preparing teachers to help with the shortage. Approved programs can avoid cost recovery fees entirely and the fees for new programs and institutions is not large enough to impact the number of jobs an institution has available.
3. Unlikely that the proposal will create any new businesses within the State of California as the regulations apply to currently approved institutions or to institutions seeking approval which must already have regional accreditation and are only expanding their business into teacher preparation.
4. Unlikely that the proposal will eliminate any existing businesses within the State of California as there is currently a teacher shortage and teacher preparation programs are busy preparing teachers to help with the shortage. Approved programs can avoid cost recovery fees entirely and the fees for new programs and institutions is not large enough to impact the ability of an institution to remain open.
5. Possible the proposal would cause the expansion of businesses currently doing business within the State of California. The current and proposed amendments to regulations apply to currently approved institutions or to institutions seeking approval which must already have regional accreditation and are only expanding their business into teacher preparation in California. The Commission is unable to determine whether or not any significant number of businesses would expand into California.
6. The Commission anticipates that the proposed amendments will benefit the health and welfare of California residents, as summarized in the Objectives and Anticipated Benefits of the proposed regulations above, by providing resources to perform the Commission's statutorily-mandated accreditation duties, thereby ensuring high quality educator preparation for the instruction of California K-12 public school students. The proposed regulations will promote fairness and prevent discrimination by specifying that the cost recovery fees apply to all institutions offering or proposing to offer Commission-approved programs, regardless of agency type. The proposed regulations will also increase openness and transparency by clarifying the cost recovery fees associated with IIA, new program review and accreditation activities in excess of the regularly scheduled data reports, document reviews, and accreditation site visits. The Commission does not anticipate that the proposed regulations will result in the protection of worker safety, or the environment, the prevention of social inequity or an increase in openness and transparency in business.

*Effect on Small Business:* The proposed regulations will not have a significant adverse economic impact upon small business. The proposed regulations apply only to institutions electing to offer Commission-approved and accredited educator programs or existing Commission-approved educational entities that have not met the requirements of the Accreditation System.

**Notice of Proposed Rulemaking Mailing List and Responses Mailing List**

- Members of the Commission on Teacher Credentialing
- California County Superintendents of Schools
- Credential Analysts at the California County Superintendents of Schools Offices
- Superintendents of Selected California School Districts
- Deans and Directors at the California Institutions of Higher Education with Commission approved programs
- Credential Analysts at the California Institutions of Higher Education with Commission approved programs
- Presidents of Selected Professional Educational Associations
- Interested members of the public

Also placed on the Internet at <http://www.ctc.ca.gov>.

**Tally of Responses**

As of January 21, 2019, the Commission had received the following written responses to the public announcement:

***Support***

0 organizational opinions  
0 personal opinions

***Opposition***

0 organizational opinions  
0 personal opinions

**Staff Recommendation**

Staff recommends that the Commission adopt the proposed amendments to sections 80691 and 80692 of Title 5 of the California Code of Regulations pertaining to Cost Recovery Fees for Extraordinary Accreditation Activities and direct staff to submit the regulation packet to the Office of Administrative Law for approval.

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# 3E

## Action

### *Educator Preparation Committee*

#### **Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Cost Recovery Fees for Extraordinary Accreditation Activities**

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**Executive Summary:** This agenda item proposes amendments to Title 5 of the California Code of Regulations sections 80691 and 80692 pertaining to Cost Recovery Fees for Extraordinary Accreditation Activities.

**Recommended Action:** Staff recommends that the Commission adopt the proposed regulations pertaining to Cost Recovery Fees for Extraordinary Accreditation Activities.

**Presenters:** Kathryn Polster, Analyst, and Teri Clark, Director, Professional Services Division

**Strategic Plan Goal:**

#### ***IV. Operational Effectiveness***

- c) Ensure that current regulations, procedures, and initiatives are appropriately streamlined to meet the Commission's established goals.

## Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Cost Recovery Fees for Extraordinary Accreditation Activities

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### Introduction

This rulemaking action proposes amendments to Title 5 of the California Code of Regulations (CCR) related to Cost Recovery Fees for Extraordinary Accreditation Activities. Proposed amendments update terminology and definitions to match the newly strengthened and streamlined accreditation system, remove obsolete fees, add a new fee for joint accreditation visits, and add a new fee for the review of eligibility criteria in the first phase of the revised Initial Institutional Approval (IIA) process. This agenda item does not propose changes to the regulations governing annual accreditation fees.

### Background

The Commission adopted regulations related to Cost Recovery Fees for Extraordinary Accreditation Activities at the [September 27, 2013](#) meeting following the addition of Education Code section 44374.5, which authorized the Commission to develop and implement a cost recovery plan for extraordinary accreditation activities.

Since the approval of the fee structure, the Commission has undertaken significant work to strengthen and streamline the state's accreditation system. The changes to the accreditation system resulted in the need to amend sections 80691 and 80692 of Title 5 of the CCR related to Cost Recovery Fees for Extraordinary Accreditation Activities. At the [December 2016](#) Commission meeting staff proposed amendments to the fee schedule and the Commission directed staff to begin the regular rulemaking process. A Coded Correspondence and a notice of proposed amendments were published on the Commission webpage on [April 14, 2017](#). Additionally, the Office of Administrative Law (OAL) published the notice on their website. The proposed amendments included two fee changes and general clean-up to align terms with the Commission's restructured accreditation system.

As part of the regulatory process, staff engaged in several discussions with OAL and responded to their questions about the proposed regulations. During these discussions it became apparent to Commission staff that the regulatory process for the proposed cost recovery regulations was extraordinarily complicated. This was due in part to the extensive changes implemented in processes and procedures that stem from the strengthening and streamlining accreditation project. In addition, the current regulations incorporated by reference specific Accreditation Handbook chapters requiring interested parties to have to consult both sources. After discussions with the OAL attorney and upon reflection, staff identified a new approach that would be more transparent and less burdensome on the readers. Rather than amending the current cost recovery sections with articles incorporated by reference, staff is proposing to



## Attachment A

amend the current accreditation fee regulations by providing greater detail in the definitions section of the text and removing the articles incorporated by reference.

Additionally, in summer 2017, while the staff was preparing the regulations package for submission to OAL, the Council for the Accreditation of Educator Preparation (CAEP) changed their fee structure which resulted in an additional \$2,500 fee for the Commission for each joint review conducted with educator preparation programs in California. In response, at the September 2017 Commission meeting, the Commission took action to include a new \$2,500 fee for joint site visits with national accreditation bodies and directed staff to include this fee in this regulations packet.

As a result of these factors, the 2017 rulemaking packet was withdrawn. After withdrawing the previously amended Cost Recovery Fees for Extraordinary Accreditation Activities regulations from review by the OAL, Commission staff attended additional training with OAL staff and received clarification on the best methods for updating regulations in light of the significant overhaul to the accreditation system.

The regulations proposed in this item have been updated and rewritten for clarity and to reflect the new changes to the accreditation system, including a fee for joint accreditation visits with other accrediting entities.

Staff recommends Commission approval of the amendments to sections 80691 and 80692 found in Appendix A to be published in a notice of proposed rulemaking with the OAL, and for the Commission to hold a public hearing following the public comment period where it will consider adoption of the regulations or amendment to the regulations based on public comment. The current Cost Recovery Regulations can be found in Appendix B and the governing statutes for the proposed regulations can be found in Appendix C. Appendix D includes information regarding the calculations for the various fees included in these proposed regulations.

### **Proposed Amendments to Regulations**

The proposed amendments are presented in three ways. Table 1 shows the current fee and the proposed change, if any. Table 2 provides proposed changes with a detailed rationale for the change. Table 3 provides the program category listing for the Initial Program Review fees. Following the tables is a brief narrative description of the proposed changes to the regulations.

## Attachment A

**Table 1: Current Cost Recovery Fees and Proposed Changes**

Beyond Standard Accreditation Cycle Activities Education Code §44374.5	Comment/Brief Explanation	Current Cost Recovery Fee	Proposed Cost Recovery Fee
<p><b>Current: Initial Institutional Approval</b> <b>Proposed: Initial Institutional Approval</b> Review of IIA Eligibility Requirements Review of IIA Common Standards Review of IIA Preconditions Initial Focused Site Visit</p>	<p>Initial Institutional Approval (IIA) is the process used by the Commission to determine whether an institution that has not previously been approved to offer educator preparation leading to a license or certificate in California should be authorized to do so by the Commission. Previously, this process comprised of a review of program and Common Standards and one decision point by the Commission. At the request of the Commission, this process has been recently revised to be a multi-stage review process with several decision points by the Commission.</p>	\$2,000	<p><b>Eligibility Requirements:</b> \$1,000 <b>Common Standards:</b> \$1,000 <b>Preconditions:</b> \$1,000 <b>Focused Site Visit:</b> \$1,000 per team member</p>
<p><b>Current:</b> Initial Program Review: Programs responding to 12 or more standards <b>Proposed:</b> Initial Program Review: Category I Preliminary/Initial Preparation programs</p>	<p>Initial Program Review (IPR) is the process of determining whether to approve a new educator preparation program leading to a license, certificate, or authorization. IPR is restricted to Commission approved institutions, that is, those that have previously been approved through IIA. IPR is considered and acted upon by the Committee on Accreditation (COA). Previously, the fees for IPR was based on the number of standards of a credential area. As</p>	\$2,000	No changes

## Attachment A

Beyond Standard Accreditation Cycle Activities Education Code §44374.5	Comment/Brief Explanation	Current Cost Recovery Fee	Proposed Cost Recovery Fee
	<p>program standards were streamlined and strengthened, the number of standards in a program is no longer indicative of the complexity of the effort needed to review the program. Rather than base the fee structure on the number of standards for a credential area, it is proposed that it be based on the type of credential program. Credential programs have been arranged into three categories for programs with similar characteristics.</p>		
<p><b>Current:</b> Initial Program Review: Programs responding to 6-11 standards <b>Proposed:</b> Initial Program Review: Category II Second Tier Preparation programs</p>	<p>See IPR above.</p>	<p style="text-align: right;">\$1,500</p>	<p style="text-align: center;"><i>No changes</i></p>
<p><b>Current:</b> Initial Program Review: Programs responding to fewer than 6 standards <b>Proposed:</b> Initial Program Review: Category III Added Authorization programs</p>	<p>See IPR above.</p>	<p style="text-align: right;">\$1,000</p>	<p style="text-align: center;"><i>No changes</i></p>
<p><b>Current:</b> In-kind payment for Initial Program Review</p>	<p>Currently, in-kind is accepted in lieu of payment by an institution if an institution provides two Board of Institutional Reviewers</p>	<p style="text-align: center;"><i>In-kind payment</i></p>	<p style="text-align: center;"><i>Eliminate</i></p>

## Attachment A

Beyond Standard Accreditation Cycle Activities Education Code §44374.5	Comment/Brief Explanation	Current Cost Recovery Fee	Proposed Cost Recovery Fee
<b>Proposed:</b> Eliminate in-kind payment option	(BIR) members to review two program documents. The proposed regulations would eliminate this option.		
<b>Current:</b> Focused Site Visit  <b>Proposed:</b> Focused Site Visit		<i>\$1,000 per team member</i>	<i>\$1,000 per team member</i>
<b>Current:</b> Late Document Reviews <b>Proposed:</b> Review of Late Submission of Accreditation Documentation	The Accreditation System requires that various documentation be submitted at various times during the seven year cycle. When documents fail to be submitted at the dedicated due dates, the Commission incurs additional staff time and expense particularly in coordinating additional reviews.	<i>\$500 per program</i>	<i>\$500 per document</i>
<b>Current:</b> Program Assessment Requiring More than 3 Reviews <b>Proposed:</b> Eliminate		<i>\$1,000</i>	<i>Eliminate Fee</i>
<b>Current:</b> Full Program Review during Site Visit as a result of not completing program assessment process <b>Proposed:</b> Modified fee for full program review for not completing required activities of the accreditation cycle	Full Program Review is required when the documentation was not submitted in time for a review prior to the site visit (in the past it was Program Assessment and in the new system it is Program Review) or that the documentation that was submitted raised significant questions about whether the program was aligned to the standards. In	<i>\$3,000 per program</i>	<i>\$1,000 per team member</i>

## Attachment A

Beyond Standard Accreditation Cycle Activities Education Code §44374.5	Comment/Brief Explanation	Current Cost Recovery Fee	Proposed Cost Recovery Fee
	either case, it is determined that an additional review team member is needed to be entirely dedicated to conducting an in-depth review of the program.		
<b>Current:</b> Not in regulations <b>Proposed:</b> Joint visitation fee with regional or national accrediting bodies	The Commission, in partnership with the Council for the Accreditation of Educator Preparation (CAEP), conducts joint accreditation visits with CAEP institutions seeking both state and national accreditation. Joint visits are site visits where review teams are comprised of reviewers appointed by both CAEP and by the Commission, some portions of the processes are merged while still meeting the individual needs of each accrediting body, and the process allows for both accrediting bodies to make accreditation findings. Joint visits allow for efficiencies in both the work of the Commission's accreditation visits and for the institution seeking accreditation.	<i>no fee</i>	<i>\$2,500</i>
<b>Current:</b> Site revisit fee <b>Proposed:</b> Site revisit fee		<i>\$1,000 per team member</i>	<i>No changes</i>
<b>Current:</b> Review of 7 <sup>th</sup> year report with no site revisit	Seventh Year reports with no site revisit are reports required to be submitted by	<i>\$500</i>	<i>No changes</i>

## Attachment A

<b>Beyond Standard Accreditation Cycle Activities</b> <b>Education Code §44374.5</b>	<b>Comment/Brief Explanation</b>	<b>Current Cost Recovery Fee</b>	<b>Proposed Cost Recovery Fee</b>
<b>Proposed:</b> Review of 7 <sup>th</sup> year report with no site revisit	institutions as a result of action taken by the COA that address specific findings of issues or concerns of the accreditation site visit team. Seventh year reports are required for institutions with stipulations, but can also be required for institutions without stipulations based on the COA's discretion.		
<b>Current:</b> Review of 7 <sup>th</sup> year report associated with a site revisit <b>Proposed:</b> Review of 7 <sup>th</sup> year report associated with a site revisit	Seventh year reports associated with a site revisit are reports required to be submitted by institutions as a result of action taken by the COA that address specific findings or issues or concerns of the accreditation site visit team. A seventh year report associated with a site revisit is used to provide the site revisit team with information about the actions taken by the institution to address the stipulations and as a basis for the revisit.	<i>\$1,000</i>	<i>No changes</i>

## Attachment A

**Table 2: Current Regulations with Proposed Amendments and Rationale**

Regulation	Proposed Amendment	Rationale
<b>§80691</b>		
§80691(a)	<p><i>Insert new definition: “Accreditation Documentation”</i></p> <hr/> <p>Definition for “Board of Institutional Review member” <i>updated and relocated to §80691(d).</i></p>	<p>The former accreditation system and fee structure included specific types of documentation (biennial reports, program assessment, and 7<sup>th</sup> year reports). Some of these types of documentation are no longer included in the new accreditation system which now require four types of Accreditation Documentation that must be submitted throughout the seven year cycle. Definitions for the types of documentation have been added under §80691(a)(1)-(4).</p> <p>In the former system, different types of documents were reviewed differently and had different costs for non- or late submission. The new streamlined accreditation system has removed the need for most documentation to be reviewed multiple times and the fee structure needs to be aligned with the new system. Adding this definition makes the fee structure of the proposed regulations more clear.</p> <p>It is important to note that Accreditation Documentation is also required for Initial Institutional Approval (IIA). This cost recovery fee information is described in section 80692(a).</p>
§80691(a)(1)	<p><i>Insert new definition: “Annual data submissions”</i></p>	<p>The definition for annual data submissions has been added to clarify the different types of Accreditation Documentation in the current system. Adding this definition makes the fee structure of the proposed regulations more clear. Fees related to annual data submissions can be found in §80692(b)(2).</p>
§80691(a)(2)	<p><i>Insert new definition: “Common Standards responses”</i></p>	<p>The definition for Common Standards responses has been added to clarify the different types of Accreditation Documentation in the current system. Adding this definition makes the fee structure of the proposed regulations more clear.</p>

## Attachment A

Regulation	Proposed Amendment	Rationale
		Fees related to Common Standards responses can be found in §80692(a)(2)(A) for IIA and in §80692(b)(2) for currently approved programs.
§80691(a)(3)	<i>Insert new definition:</i> “Preconditions responses”	The definition for preconditions responses has been added to clarify the different types of Accreditation Documentation in the current system. Adding this definition makes the fee structure of the proposed regulations more clear. Fees related to preconditions responses can be found in §80692(a)(2)(B) for IIA and in §80692(b)(2) for currently approved programs.
§80691(a)(4)	<i>Insert new definition:</i> “Program Review Submission”	The definition for Program Review Submission has been added to clarify the different types of Accreditation Documentation in the current system. Adding this definition makes the fee structure of the proposed regulations more clear. Fees related to program documents can be found in §80692(b)(2).
§80691(b)	<i>Definition removed:</i> “Focused site visit”	This definition was deleted and replaced by the term “Focused accreditation site visit” located in §80691(c)(2). The new accreditation system has five types of site visits and the term and definition needed to be amended and updated to bring the regulatory language up to date.
	<i>Insert new definition:</i> “Accreditation System”	This definition is being added, as “accreditation system” is a common term within this section.
§80691(c)	<i>Definition updated and relocated to §80691(g) for “Initial Institutional Approval”</i>	Relocated to maintain alphabetical order of definitions.
	<i>Insert new definition:</i> “Accreditation team site visit”	To improve clarity, and at the recommendation of the Office of Administrative Law (OAL), the Commission is removing all of the Committee on Accreditation (COA) Accreditation Handbook chapters from the regulations as “articles incorporated by reference” and instead this definition has been inserted. This approach



## Attachment A

Regulation	Proposed Amendment	Rationale
		<p>provides clear definitions without requiring the regulated public to review a secondary document.</p> <p>Education Code §44374(b) requires that the accreditation system include “well-trained accreditation teams.” This definition explains what an accreditation team site visit is, the purpose of it, and how the teams are composed.</p> <p>The Commission has five different types of accreditation team site visits as described in §80691(c)(1)-(5).</p>
§80691(c)(1)	<i>Insert new definition: “Standard accreditation site visits”</i>	Definition added to clarify between the different types of site visits. The cost recovery fees associated with each type of site visit varies and the definitions are necessary to make the fees in §80692 clear. There are currently no fees associated with a standard accreditation site visit, provided that the institution has complied with the requirements of the accreditation system.
§80691(c)(2)	<i>Insert new definition: “Focused accreditation site visits”</i>	Definition added to clarify between the different types of site visits. The cost recovery fees associated with each type of site visit varies and the definitions are necessary to make the fees in §80692 clear. Fees associated with focused accreditation site visits are in §80692(b)(1).
§80691(c)(3)	<i>Insert new definition: “Initial focused accreditation site visits”</i>	Definition added to clarify between the different types of site visits. The cost recovery fees associated with each type of site visit vary and the definitions are necessary to make the fees in §80692 clear. Initial focused site visits are a new component of the revised accreditation system’s IIA process and occur for provisionally approved institutions. Fees associated with Initial focused accreditation site visits are in §80692(a)(2)(D).
§80691(c)(4)	<i>Insert new definition: “Accreditation site revisits”</i>	Definition added to clarify between the different types of site visits. The cost recovery fees associated with each type of site visit varies and the definitions are necessary to make the fees in

## Attachment A

Regulation	Proposed Amendment	Rationale
		§80692 clear. Fees associated with accreditation site revisits are in §80692(b)(4)(A).
§80691(c)(5)	<i>Insert new definition: "Joint accreditation site visits"</i>	Definition added to clarify the difference between the different types of site visits. The cost recovery fees associated with each type of site visit varies and the definitions are necessary to make the fees in §80692 clear. Fees associated with joint accreditation site visits are in §80692(b)(3).
§80691(d)	<i>Definition updated and relocated to §80691(h) for "Initial Program Review"</i>	Relocated to maintain alphabetical order of definitions.
	<i>Updated and relocated: Definition for "Board of Institutional Review member"</i>	To improve clarity the Commission is removing all of the COA Accreditation Handbook chapters from the regulations as "articles incorporated by reference" and instead, this definition has been updated to provide a clear definition without requiring the regulated public to review a secondary document.
§80691(e)	<i>Definition relocated to §80691(i) for "Institution"</i>	Relocated to maintain alphabetical order of definitions.
	<i>Insert new definition: "Educator preparation program"</i>	The IIA and Initial Program Review processes both require that documents related to how institutions will operate their educator preparation programs be submitted to the Commission. Fees for review of these documents are based upon the category of educator preparation program. This definition makes clear what an educator preparation program is so that the fee structure for the review of documents is clear.
§80691(e)(1)	<i>Insert new definition: "Category I: Preliminary/Initial Preparation"</i>	This definition makes clear what qualifies as a Category I educator preparation program is so that the fee structure for the review of documents is clear.

## Attachment A

Regulation	Proposed Amendment	Rationale
§80691(e)(2)	<i>Insert new definition:</i> “Category II: Second Tier Preparation”	This definition makes clear what qualifies as a Category II educator preparation program is so that the fee structure for the review of documents is clear.
§80691(e)(3)	<i>Insert new definition:</i> “Category III: Added Authorizations”	This definition makes clear what qualifies as a Category III educator preparation program is so that the fee structure for the review of documents is clear.
§80691(f)	<i>Definition removed:</i> “Late Review” (Topic of review of late submission is addressed in 80692(b)(2).	This definition is being removed from this section due to the fact that it references components of the former accreditation system that no longer exist under the current system. The proposed regulations have been simplified to charge one fee for review of late submission of any required Accreditation Documentation (see §80691(a) and §80692(b)(2)).
	<i>Insert new definition:</i> “Eligibility Criteria”	The Commission’s updated IIA process now requires that prospective institutions submit a response to Eligibility Criteria. This definition makes clear what Eligibility Criteria are. Fees associated with Eligibility Criteria are located in §806912(a)(1).
§80691(g)	<i>Definition removed:</i> “Program Assessment”	This definition is being removed as the Commission’s updated accreditation system no longer includes a program assessment component which included an iterative process requiring the review of multiple versions of an institution or program responses. The regulations have been simplified to charge one fee for late submission of required Accreditation Documentation (see §80691(a) and §80692(b)(2)).
	<i>Updated and relocated from §80691(c):</i> Definition for “Initial Institutional Approval”	To improve clarity the Commission is removing all of the COA Accreditation Handbook chapters from the regulations as “articles incorporated by reference” and this definition has been updated to provide a clear definition without requiring the regulated public to review a secondary document. Additionally, the definition has been updated to

## Attachment A

Regulation	Proposed Amendment	Rationale
		include the fact that the IIA process is now a multi-stage and multi-year process.
§80691(h)	<i>Definition removed: “Professional preparation program”</i>	This definition is being removed, as “educator preparation program” in §80691(e) is a more accurate term. The word “professional” is used in different ways by different individuals and often refers to teachers and administrators with second tier or “cleared” credentials.
	<i>Updated and relocated from §80691(d): Definition for “Initial Program Review”</i>	To improve clarity, and at the recommendation of the OAL, the Commission is removing all of the COA Accreditation Handbook chapters from the regulations as “articles incorporated by reference” and this definition has been updated to provide a clear definition without requiring the regulated public to review a secondary document.
§80691(i) §80691(i)(1) §80691(i)(2) §80691(i)(3) §80691(i)(4) §80691(i)(5)	<i>Definition updated and relocated to §80691(c)(4) for “site revisit”</i>	The term was updated to accreditation site revisit and relocated to §80691(c)(4).  To improve clarity, and at the recommendation of the OAL, the Commission is removing all of the COA Accreditation Handbook chapters from these regulations as “articles incorporated by reference” and this definition has been updated to provide a clear definition without requiring the regulated public to review a secondary document.
	<i>Definition added for 80691 ( c ) 1, 2, 3, and 5</i>	To improve clarity, and at the recommendation of the OAL, the Commission is removing all of the COA Accreditation Handbook chapters from these regulations as “articles incorporated by reference” and this definition has been updated to provide a clear definition without requiring the regulated public to review a secondary document. The definitions have been added for standard accreditation site visit, focused accreditation site visits, initial focused accreditation site visit and joint accreditation site visits.

## Attachment A

Regulation	Proposed Amendment	Rationale
	<i>Relocated from §80691(e) and Updated:</i> Update to subsection reference.	Definitions reordered to maintain alphabetical order. Reference to another section updated as a result of reordering of definitions.
§80691(j)	<i>Definition removed: “Site Visit”</i>	To improve clarity the Commission is removing all of the COA Accreditation Handbook chapters from the regulations as “articles incorporated by reference” and this definition has been updated to provide a clear definition without requiring the regulated public to review a secondary document. Additionally, §80691(c) amendments propose the new and more robust definition of “Accreditation team site visits” to provide more clear information to the public.
	<i>Insert new definition: “Seventh year report”</i>	The definition for seventh year report has been added to clarify that it is a specific report that is not a regularly scheduled accreditation activity and that the report has fees associated with it. Adding this definition makes the fee structure of the proposed regulations more clear. Fees related to seventh year reports can be found in §80692(b)(4).
§80691(k)	<i>Definition removed: Standard Accreditation Cycle</i>	Revisions to §80691(b), “Accreditation system,” replaced the need for “Standard Accreditation Cycle” to be defined. The revised definition includes information about the accreditation cycle therefore §80691(k) is no longer relevant to the purpose of these regulations.
§80691(l)	<i>Definition removed: Stipulations</i>	The previous definition for “Stipulations” was no different than that in the dictionary and does not make specific or clarify any part of the governing statute for these regulations.

## Attachment A

<b>§80692</b>		
§80692(a)	<i>Updated:</i> Revised language and structure of regulations.	This section was changed to be specific to IIA and IPR fees to make the regulations clearer. This also reflects the Commission’s adoption of a more structured and rigorous IIA process which requires multiple stages for approval.
§80692(a)(1)	<i>Deletion:</i> \$2,000 flat fee for Initial Institutional Approval.	The process for Initial Institutional Approval has been significantly revised to be a more rigorous multi-stage process with several decision points. The flat fee of \$2,000 for the previous IIA process is proposed to be eliminated because this process no longer exists in the same manner. It is proposed to be replaced with a fee that more appropriately reflects the new process adopted by the Commission.
	<i>Addition:</i> \$1,000 flat fee for review of Eligibility Requirements	<p>The process for Initial Institutional Approval has been significantly revised to be a more rigorous multi-stage process with several decision points. Rather than the flat fee of \$2,000 that was related to the previous Initial Institutional Approval process, the proposed fees more appropriately reflect the new multi-stage process adopted by the Commission.</p> <p>A \$1,000 fee is proposed to cover the work involved in Stage II: Eligibility Requirements of the Initial Institutional Approval process. Significant staff and Commissioner time is required to review the Eligibility Requirements and a \$1,000 fee is proposed to cover that cost as it is outside of normally scheduled accreditation activities. This fee also covers staff time to respond to questions from the prospective institution as they prepare their response to the eligibility requirements. Institutions seeking IIA require guidance from Commission staff on submission of eligibility requirements. The specific number of staff hours required to educate a prospective institution on how and what to submit to respond to the eligibility requirement, review the documents, and prepare the Commission agenda items varies.</p>

## Attachment A

		<p>Factors impacting the number of hours include how much and how well the prospective institution understands the Initial Institutional Approval process, the quality and clarity of the submission, the sufficiency of the evidence provided, and the complexity of any issues that the responses present. Calculations related to the hours of staff time required can be found in Appendix D.</p>
<p>§80692(a)(2)</p>	<p><i>Update:</i> Changed to cover review of all types of documents for IIA after eligibility has been established.</p>	<p>Once an institution has established eligibility they must submit a response to all required Initial Institutional Approval documentation which includes initial preconditions, common standards, general and program specific preconditions.</p> <p>Individual requirements for each step in the IIA process are being charged as individual components. Creating a separate fee structure for each stage of the initial institution approval process better reflects the actual costs involved in each stage and will help to ensure the institution only pays for services rendered as the Commission is limited in providing refunds to entities that do not successfully complete the process.</p>
<p>§80692(a)(2)(A)</p>	<p><i>New:</i> Fee for review of Common Standards response</p> <p>Relocation: Fees for review of program standards responses relocated beginning at §80692(a)(2)(C)</p>	<p>The process for Initial Institutional Approval has been significantly revised to be a more rigorous multi-stage process with several decision points. Rather than the flat fee that was related to the previous Initial Institutional Approval process, the proposed fees more appropriately reflect the new multi-stage process adopted by the Commission. Individual requirements for each step in the IIA process are proposed to be charged as individual components.</p> <p>The Commission did not previously have a separate fee for the review of common standards, as it was included in the \$2,000 flat fee (§80692(a)(1)) for IIA.</p> <p>The proposed fee of \$1,000 for the review of Common Standards responses reflects the costs associated with reviewing Common Standards submissions in person and remotely. Costs include</p>

## Attachment A

		<p>reimbursing the travel costs for volunteer reviewers to travel to the Commission to review the documents. In instances where reviewers cannot travel to review documents, staff spends a significant amount of time working with reviewers during a virtual review, as the reviewers often take several days to review documents (instead of dedicated days at the Commission) and questions are sent via phone or email, requiring staff to be available to aid in the virtual review. In these instances, fees offset the additional staff time for the coordination and facilitation of remote reviews.</p> <p>This fee also covers staff time to consult with the prospective institution as they prepare their response to the common standards. This time can range significantly from institution to institution.</p> <p>Calculations related to the hours of staff time required can be found in Appendix D.</p>
<p>§80692(a)(2)(B)</p>	<p><i>New:</i> Fee for review of general and program specific preconditions.</p> <p><i>Relocation:</i> Fees for review of program standards responses relocated to begin with §80692(a)(2)(C)</p>	<p>The process for Initial Institutional Approval has been significantly revised to be a more rigorous multi-stage process with several decision points. Rather than the flat fee of \$2,000 that was related to the previous Initial Institutional Approval process, the proposed fees more appropriately reflect the new multi-stage process adopted by the Commission. Individual requirements for each step in the IIA process are proposed to be charged as individual components.</p> <p>The Commission did not previously have a separate fee for the review of initial, general and program specific preconditions, as they were included in the \$2,000 fee (§80692(a)(1)) for IIA.</p> <p>The proposed fee of \$1,000 to review initial, general and program specific preconditions covers the staff time required to review the documents (volunteers do not review preconditions), as well as staff time required to consult with the prospective institution as they prepare their responses. The actual number of hours of staff</p>



## Attachment A

		<p>time for this activity depends on a number of factors including how well the prospective institution understand the expectations around the preconditions and the quality of the submission.</p> <p>Calculations related to the hours of staff time required can be found in Appendix D.</p>
§80692(a)(3)	<p><i>Relocated and updated:</i> Fees for review of Category I program standards responses relocated to: §80692(a)(2)(C)(1)</p>	<p>The current fee structure is based on the number of standards required for the submission of a new program. As program standards were streamlined and strengthened, the number of standards in a program is no longer indicative of the complexity of the effort needed to review the program. Rather than base the fee structure on the number of standards for a credential area, it is proposed that it be based on the type of credential program. The programs have been organized by category that reflect similar characteristics to the other programs within the category. The fee amounts are staying the same, however the language is being updated to reflect these categories.</p>
§80692(a)(3)(A)	<p><i>Relocated and updated</i> Relocated from §80692(a)(2)(A)</p>	<p>The current fee structure is based on the number of standards required for the submission of a new program. As program standards were streamlined and strengthened, the number of standards in a program is no longer indicative of the complexity of the effort needed to review the program. Rather than base the fee structure on the number of standards for a credential area, it is proposed that it be based on the type of credential program. The programs have been organized by category that reflect similar characteristics to the other programs within the category. The fee amounts are staying the same, however the language is being updated to read: Category I: Preliminary/Initial Preparation program review.</p>
§80692(a)(3)(B)	<p><i>Relocated and updated</i> Relocated from §80692(a)(2)(B)</p>	<p>The current fee structure is based on the number of standards required for the submission of a new program. As program standards were streamlined and strengthened, the number of standards in a program is no longer indicative of the complexity</p>

## Attachment A

		<p>of the effort needed to review the program. Rather than base the fee structure on the number of standards for a credential area, it is proposed that it be based on the type of credential program. The programs have been organized by category that reflect similar characteristics to the other programs within the category. The fee amount is staying the same, however the language is being updated to read: Category II: Second Tier Preparation program review.</p>
<p>§80692(a)(3)(C)</p>	<p><i>Relocated and updated</i> Fee relocated from §80692(a)(2)(C)</p>	<p>The current fee structure is based on the number of standards required for the submission of a new program. As program standards were streamlined and strengthened, the number of standards in a program is no longer indicative of the complexity of the effort needed to review the program. Rather than base the fee structure on the number of standards for a credential area, it is proposed that it be based on the type of credential program. The programs have been organized by category that reflect similar characteristics to the other programs within the category. The fee amount is staying the same, however the language is being updated to read: Category III: Added Authorization program review.</p>
<p>§80692(a)(4)</p>	<p><i>Update: Remove outdated language and addition of IIA initial focused site visit fee.</i></p>	<p><i>Waiver of Fee for In-Kind</i> The language being removed pertains to in-kind payment for review of initial program documents. Currently an institution may pay the costs (travel and other costs) to send two BIR trained reviewers to the Commission to review program documents as an in-kind payment for document review. Sending two readers was intended to encourage reviewer participation and provide the institution with an in-kind credit, or “free” review of their own program document submission.</p> <p>Since the in-kind payment option has been established, very few institutions have utilized the option. From 2013-14 to 2016-17, 167 program approvals were granted, yet only 15 programs used the in-kind option to pay the cost recovery fee.</p>

## Attachment A

		<p>In addition subsequent legislation prohibited in-kind credits for similar work. Education Code §44374.5(a) regarding annual accreditation fees specifically prohibited the use of in-kind contributions to waive fees for the review of existing programs. Eliminating the in-kind fee waiver for review of initial program documents would bring this function into alignment with the rest of the fees for the accreditation system and with legislative intent.</p> <p><i>Initial Focused Site Visit Fee</i></p> <p>The revised IIA process now requires an initial focused site visit after the provisional approval period has concluded so that the Commission may ensure that the provisionally approved institution is offering programs in alignment with the accreditation system. This fee covers the cost of staff time to coordinate the initial focused site visit, including technical assistance time with the institution, travel for all members for the initial focused site visit, staff time preparing the report from the site visit.</p> <p>Calculations related to the hours of staff time required and travel can be found in Appendix D.</p>
<p>§80692(b) and §80692(b) (1)</p>	<p><i>No changes proposed</i></p>	
<p>§80692(b)(2)</p>	<p><i>Deletion:</i> Delete obsolete language</p>	<p>Obsolete language is deleted and replaced with updated language.</p>
	<p><i>Update:</i> Language updated</p>	<p>The language has been updated to align with the current accreditation system and now proposes the same \$500 fee, however instead of “late reviews” it pertains to the review of late submission of Accreditation Documentation. The fee still recovers the cost of staff time when an institution fails to submit Accreditation Documentation on time. An extraordinary amount of staff time is needed when institutions have not</p>

## Attachment A

		<p>submitted documents by the required due dates including the time necessary to contact the institution, monitor the submission process, and provide consultation on what kind of documentation is required to be submitted. Additional review sessions to accomplish the review of the late documentation need to be coordinated and held which can increase travel costs and staffing costs for the Commission.</p> <p>Calculations related to the hours of staff time required can be found in Appendix D.</p>
§80692(b)(3)	<p><i>Deletion:</i> Delete obsolete language “Program Assessment”</p>	<p>The Program Assessment process is no longer part of the current accreditation process.</p>
	<p><i>New:</i> Fee for joint accreditation visits with national or regional accreditation bodies.</p>	<p>The Commission has a history of more than three decades of participating in joint accreditation visits with national accrediting bodies when an institution is seeking both state and national accreditation of its educator preparation programs.</p> <p>The Council for the Accreditation of Educator Preparation (CAEP) has recently revised its fee structure and the Commission is now responsible for an additional \$2,500 per joint visit with CAEP. Under the current CAEP fee structure CAEP increases the annual fee to the state that host joint visits by \$2,500 per CAEP institution over the seven- year accreditation cycle and reduces the fee to each institution by \$2,500 across the seven years of the accreditation cycle. California conducts joint CAEP visits.</p> <p>The joint visit fee of \$2,500 per institution falls within the category of an extraordinary fee because participation in CAEP accreditation is entirely voluntary and determined by the institution.</p>

## Attachment A

		In September 2017 the Commission approved adding this \$2,500 fee for joint accreditation visits to the cost recovery system.
§80692(b)(3) (A) §80692(b)(3) (B)	<i>Update:</i> Update obsolete language “Program Assessment”	The Program Assessment process has been replaced by Program Review. Additionally, the new process of Program Review does not include an iterative review process between readers and institutions as did Program Assessment.
§80692(b)(4)	<i>Updated terminology</i>	The term “stipulations” has been deleted and replaced with “Seventh Year Activities” as the fees in sections §80692(b)(4)(A)-(C) are related to the activities in the seventh year and not specifically to stipulations made by the COA.
§80692(b)(4) (A)	<i>Updated:</i> Language updated for clarity and minimum fee for revisit added.	This definition has been updated for clarity. As defined in §80691(c)(4), accreditation site revisits require \$1,000 per individual attending as part of the accreditation revisit team.
§80692(b)(4) (B)	<i>Updated:</i> Language updated for clarity	To improve clarity the Commission is removing all of the COA Accreditation Handbook chapters from the regulations as “articles incorporated by reference” and this definition of the review of a seventh year report when no revisit is required has been updated to provide a clear definition without requiring the regulated public to review a secondary document.
§80692(b)(4) (C)	<i>Updated:</i> Language updated for clarity	To improve clarity the Commission is removing all of the COA Accreditation Handbook chapters from the regulations as “articles incorporated by reference” and this definition of the review of a report associated with an accreditation site visit revisit has been updated to provide a clear definition without requiring the regulated public to review a secondary document.

Appendix D provides information on the calculations for the fees proposed in these regulations.

## Attachment A

**Table 3: Program Category Listing**

Category I Preliminary/Initial Preparation	Category II Second Tier Preparation	Category III Additional Authorizations
<ul style="list-style-type: none"> <li>• Multiple Subject</li> <li>• Single Subject</li> <li>• Education Specialist:               <ul style="list-style-type: none"> <li>-Mild/Moderate</li> <li>-Moderate/Severe</li> <li>-Early Childhood</li> <li>-Deaf and Hard of -Hearing</li> <li>-Visual Impairments</li> </ul> </li> <li>• Administrative Services</li> <li>• School Psychology</li> <li>• School Counseling</li> <li>• School Social Work</li> <li>• Designated Subjects:               <ul style="list-style-type: none"> <li>Career Technical Education</li> </ul> </li> <li>• Designated Subjects:               <ul style="list-style-type: none"> <li>Adult Education</li> </ul> </li> <li>• Clinical or Other Rehabilitative-Orientation and Mobility</li> <li>• Speech Language Pathology Services</li> <li>• Audiology</li> </ul>	<ul style="list-style-type: none"> <li>• Teacher Induction</li> <li>• Administrative Services Induction</li> <li>• California Teachers of English Learners</li> <li>• Bilingual Authorization</li> <li>• Agriculture Specialist</li> <li>• Adapted Physical Education</li> <li>• Early Childhood Specialist</li> <li>• Designated Subjects:               <ul style="list-style-type: none"> <li>Supervision and Coordination</li> </ul> </li> <li>• Pupil Personnel Services-Child Welfare and Attendance</li> <li>• Teacher Librarian</li> <li>• School Nurse</li> </ul>	<ul style="list-style-type: none"> <li>• Education Specialist Added Authorization:               <ul style="list-style-type: none"> <li>-Autism Spectrum Disorder</li> <li>-Deaf-Blind</li> <li>-Early Childhood Special Education</li> <li>-Emotional Disturbance</li> <li>-Orthopedic Impairments</li> <li>-Other Health Impairments</li> <li>-Resource Traumatic Brain Injury</li> </ul> </li> <li>• Reading and Literacy Added Authorization</li> <li>• Reading and Literacy Leadership Specialist</li> <li>• Mathematics Instructional Added Authorization</li> <li>• Mathematics Instructional Leadership Specialist</li> <li>• Teacher Librarian Special Teaching Authorization</li> <li>• School Nurse Special Teaching Authorization</li> <li>• Speech-Language Pathology Special Teaching Authorization</li> </ul>

*Terminology Amendments:*

The definitions section of the regulations has been updated to reflect the new accreditation system and eliminate language that no longer applies to the current system, as well as to clearly define the various types of accreditation team site visits and types of documentation that must be submitted throughout the accreditation cycle.

*Fee Structure Amendments for Initial Program Review (IPR):*

Amendments to the regulations are being proposed due to the changes in the accreditation system and efforts to update and revise program standards. Currently, the cost recovery fee structure is based on the number of standards required for the submission of a new program. Since program standards have been streamlined and strengthened, the number of standards in a program is no longer indicative of the complexity of elements within the program standards

## Attachment A

or the efforts needed to review the program. Proposed amendments include categorizing standards based on the type of authorization that results from them (preliminary credential, clear credential, or added authorization) which provides the flexibility needed to continually improve standards without having to amend the fee structure or regulations.

### *Fee Structure Amendments for Initial Institutional Approval (IIA):*

The previous flat fee of \$2,000 for IIA covered the review of preconditions and Common Standards as well as time consulting with prospective institutions and reviewing their documentation. In the previous IIA process, there was a single Commission decision point. However, the current IIA process is now much more rigorous and includes multiple stages for which documentation is submitted for review and action by the Commission. This new more rigorous review format requires a significant amount of additional staff time. Specifying the fees for specific IIA activities not only recovers the cost of staff time and reviewer travel for these extraordinary accreditation activities, but it is more reflective of the various stages of the new system. Instead of a flat \$2,000 fee the new fee structure more appropriately reflects the work involved in providing assistance to institutions before during and after Accreditation 101, reviewing and approving the eligibility requirements, the Initial Program Review process. Finally, the proposed regulations allow for a \$1,000 per site visit team member for initial focused site visits for provisionally approved institutions. The Commission has historically charged \$1,000 per site visit team member for focused site visits, however the regulations did not explicitly explain the difference between an accreditation focused site visit for an institution already approved by the Commission and an initial focused site visit for a provisionally approved institution.

### *Fee Structure Amendments for Joint Site Visits:*

At the September 2017 Commission meeting staff presented the updates to CAEP's annual dues formula. CAEP's restructuring of their fees requires the Commission to pay dues which have increased \$2,500 per institution requesting a joint visit. Since joint visits are not a requirement of the accreditation system for the state of California the Commission approved adding the \$2,500 dues to the cost recovery regulations for institutions choosing to have a joint visit.

### *Deleted Fees:*

The program assessment process has been replaced by program review and streamlined to have only one review session. For this reason, fees associated with more than three reviews are no longer necessary and are proposed to be deleted from the fee structure.

When the fee structure was initially created an in-kind payment process was allowed as a way to ease the financial burden of IPR. Approved institutions seeking a new program approval could pay in-kind by sending two Board of Institutional Review (BIR) trained members to the Commission to review two documents each. The in-kind payment option has not been utilized by very many institutions and staff are proposing eliminating the in-kind payment structure entirely.

## Attachment A

### **Objectives and Anticipated Benefits of the Proposed Regulations**

The objective is to amend the regulations that permit the Commission to recover costs incurred for extraordinary accreditation activities, while bringing the regulations up to date and in alignment with the new accreditation process and improving their clarity. Amending the regulations will benefit K-12 students in California public schools by ensuring high quality educators. Additionally, the proposed amendments are written to better address prospective revisions to standards.

The Commission anticipates that the proposed amendments will benefit students attending public schools in the State of California by providing resources to perform the Commission's statutorily-mandated accreditation duties, thereby ensuring high quality educator preparation for the instruction of California public school students. Amendments will also provide a way for prospective institutions to pay their IIA fees as they move along, paying for services rendered rather than having to pay all IIA fees at the start of the approval process with the possibility of not completing the process successfully.

The proposed regulations will promote fairness and prevent discrimination by specifying that the cost recovery fees apply to all institutions offering Commission-approved programs, regardless of agency type. The proposed regulations will also increase openness and transparency by clarifying the cost recovery fees associated with IIA, new program review and accreditation activities in excess of the regularly scheduled data reports, document reviews, and accreditation site visits. The Commission does not anticipate that the proposed regulations will result in the protection of public health and safety, worker safety, or the environment, the prevention of social inequity or an increase in openness and transparency in business.

### **Determination of Inconsistency/Incompatibility with Existing State Regulations**

The Commission has determined that the proposed amendments are not inconsistent or incompatible with existing regulations. There are no other Title 5 CCR sections that specify Cost Recovery Fees for Extraordinary Accreditation Activities associated with Commission-approved programs.

### **Disclosures Regarding the Proposed Actions**

The Commission has made the following initial determinations:

*Costs to any local agency or school districts requiring reimbursement pursuant to Government Code section 17500 et seq.:* School districts, county offices of education and charter schools that are not currently approved to offer educator preparation programs (i.e. that elect to offer a program(s)) will be required to submit fees to cover the cost of IIA and Initial Program Review (IPR). Currently approved institutions pursuing additional Commission-approved programs will also be subject to IPR fees. Institutions may avoid all Cost Recovery Fees for Extraordinary Accreditation Activities (IPR, review of late submissions, etc.) provided new programs are not proposed and accreditation activity requirements are followed in a timely manner.

*Other non-discretionary costs or savings imposed upon local agencies:* None.



## Attachment A

*Cost or savings to any state agency:* None.

*Cost or savings in federal funding to the state:* None.

*Significant effect on housing costs:* None.

*Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states:* None.

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

*Cost impacts on a representative private person or business:* Non-Commission approved private/independent education entities that elect to offer a program(s) will be required to submit fees to cover the cost of IIA and IPR. Currently approved institutions pursuing additional Commission-approved programs will also be subject to IPR fees. Institutions may avoid all Cost Recovery Fees for Extraordinary Accreditation Activities (IPR, review of late submissions etc.) provided new programs are not proposed and accreditation activity requirements are followed in a timely manner.

*Statement of the Results of the Economic Impact Assessment [Govt. Code § 11346.5(a)(10)]:* The Commission concludes that it is (1) unlikely that the proposal will create any jobs within the State of California; 2) unlikely that the proposal will eliminate any jobs within the State of California; 3) unlikely that the proposal will create any new businesses within the State of California; 4) unlikely that the proposal will eliminate any existing businesses within the State of California; and 5) unlikely the proposal would cause the expansion of businesses currently doing business within the State of California.

*Benefits of the Proposed Action:* The Commission anticipates that the proposed amendments will benefit the welfare of students attending public schools in the State of California by providing the resources to perform its statutorily-mandated accreditation duties, thereby ensuring high quality educator preparation for the instruction of California public school students.

The Commission anticipates that the proposed regulations will result in an increase in openness and transparency in government by clarifying the cost recovery fees associated with IIA and new program review and accreditation activities in excess of the regularly scheduled data reports, program document reviews, and accreditation site visits. The Commission does not anticipate that the proposed regulations will result in the protection of public health and safety, worker safety, or the environment, the prevention of social inequity, or an increase in openness and transparency in business.

## Attachment A

*Effect on Small Business:* The proposed regulations will not have a significant adverse economic impact upon small business. The proposed regulations apply only to institutions electing to offer Commission-approved and accredited educator programs or existing Commission-approved educational entities that have not met the requirements of the Accreditation System.

### **Staff Recommendation**

Staff recommends that the Commission adopt the proposed amendments to sections 80691 and 80692 of Title 5 of the California Code of Regulations pertaining to Cost Recovery Fees for Extraordinary Accreditation Activities and direct staff to file a Noticed of Proposed Rulemaking with the Office of Administrative Law and schedule a public hearing for a future Commission meeting.

## Attachment A

### Appendix A – Proposed Amendments CALIFORNIA CODE OF REGULATIONS TITLE 5. EDUCATION

#### DIVISION 8. COMMISSION ON TEACHER CREDENTIALING

#### ARTICLE 3. Other Program Approval Procedures

#### Subarticle 3. Cost Recovery Fees for Program Approval and Accreditation

§80691. Definitions.

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

- ~~(a) “Board of Institutional Review member” is an individual who has successfully completed the Commission provided training detailed in the *Accreditation Handbook* Chapter Eleven, Board of Institutional Review Member Skills and Competencies (rev. 2012), available on the Commission’s website and hereby incorporated by reference.~~
- (a) “Accreditation Documentation” are formal submissions of documentation required for the Commission to assess the quality of the educator preparation program. These include:
- (1) “Annual data submission” which is information about educator preparation programs as well as data on candidates and completers submitted through the Commission’s Accreditation Data System.
  - (2) “Common Standards response” is a written description and documentation demonstrating how the educator preparation program meets the Common Standards. This response is submitted in year five of the accreditation cycle and during Initial Institutional Approval.
  - (3) “Preconditions response” is a written description and documentation demonstrating how the institution and the educator preparation programs it sponsors meet the preconditions. The response is submitted in years one and four of the accreditation cycle, during Initial Institutional Approval, and during Initial Program Review
  - (4) “Program Review Submission” is a written description and documentation on how a program meets the specific program standards. The response is submitted in year 5 of the accreditation cycle for each of the programs sponsored by the institution
- ~~(b) “Focused site visit” is a site visit requested by the Committee on Accreditation when it is determined that the professional preparation program is not complying with the accreditation system activities specified in the *Accreditation Handbook* Chapter Four, The Accreditation Cycle (rev. 2012), available on the Commission’s website and hereby incorporated by reference.~~
- (b) “Accreditation system” is the system established by the Commission and implemented by the Committee on Accreditation for accrediting educator preparation programs in California as set forth in Education Code sections 44370 through 44374.5. The system has a standard seven year cycle and requires active participation from institutions with educator preparation programs through various Accreditation Documentation submissions and accreditation team site visits.

## Attachment A

~~(c) “Initial institutional approval” is granted by the Committee on Accreditation when an institution that has not previously prepared educators for certification in California has been deemed to meet the accreditation requirements as explained in the *Accreditation Handbook* Chapter Three, Institutional and Program Approval (rev. 2012), available on the Commission’s website and hereby incorporated by reference.~~

- (c) “Accreditation team site visit” is an onsite or technologically facilitated review of an approved or provisionally approved institution and its educator preparation programs for the purpose of observing and ensuring the institution’s compliance with all relevant state statutes, regulations and standards of quality established by the State of California for preparing educators to serve in public schools. The Commission’s Administrator of Accreditation determines the composition of the team which, includes volunteer Board of Institutional Review members and volunteer education experts. The team is accompanied and facilitated by a Commission staff member.
- (1) “Standard accreditation site visits” take place in year six of the accreditation cycle when an institution has turned in required accreditation documents throughout the accreditation cycle. A site visit team reviews how the institution is implementing the program and common standards. These visits result in an accreditation decision by the Committee on Accreditation.
  - (2) “Focused accreditation site visits” are accreditation team site visits authorized by the Committee on Accreditation when the educator preparation program is not demonstrating compliance with the accreditation system requirements. The Administrator of Accreditation for the Commission determines the number of accreditation team members needed for the focused site visit.
  - (3) “Initial focused accreditation site visits” are accreditation team site visits authorized by the Commission that occur after the first set of candidates complete the approved program(s) at the provisionally approved institution, in order to determine if the institution has complied with the accreditation system requirements for earning full Commission approval. The Commission’s action at the time of provisional approval will determine when the initial focused site visit will take place. The Administrator of Accreditation for the Commission determines the number of accreditation team members needed for the initial focused site visit.
  - (4) “Accreditation site revisits” are accreditation visits conducted in the year after the site visit in order to determine whether the institution has taken corrective action to address the stipulations placed upon it by the Committee on Accreditation.
  - (5) “Joint accreditation site visits” are standard or focused accreditation team site visits, as defined in subdivision (c)(1) and (c)(2), that take place with national accreditation bodies and their team members in addition to the Commission’s accreditation team.

## Attachment A

- ~~(d) "Initial program review" is the review of a professional preparation program's formal response to the program standards associated with a specific program type as explained in the *Accreditation Handbook* Chapter Three, Institutional and Program Approval (rev. 2012). Initial program review occurs when a professional preparation program intends to offer a new professional preparation program type or when the Commission revises program standards to such a significant degree that a professional preparation program must rewrite the program document.~~
- (d) "Board of Institutional Review member" is an individual who has successfully completed the Commission's Board of Institutional Review training and who possesses the knowledge, skills, and abilities to participate in the accreditation system as a volunteer reviewer of Accreditation Documentation and as a volunteer member of accreditation site visit teams.
- ~~(e) "Institution" means any of the following categories of agencies which are authorized to seek initial institutional approval as defined in subsection (c) in order to submit a professional preparation program for approval and accreditation as defined in subsection (h):~~
- ~~(1) A California county superintendent of schools office;~~
  - ~~(2) A California school district;~~
  - ~~(3) A charter school as established in Education Code Section 47605;~~
  - ~~(4) A regionally accredited college or university;~~
  - ~~(5) A non-governmental or community based organization.~~
- (e) "Educator preparation program" refers to a planned course of study including fieldwork and clinical practice that has been approved by the Commission and accredited by the Committee on Accreditation which leads to the issuance of teaching credentials, services credentials, specialist credentials, added authorizations, or certificates. For the purposes of cost recovery fees, categories of educator preparation programs include:
- (1) "Category I: Preliminary/Initial Preparation," defined as educator preparation programs that lead to a preliminary or initial credential and may require credential holders to obtain the necessary category II credential.
  - (2) "Category II: Second Tier Preparation," defined as educator preparation programs that require candidates to hold a category I credential or related state issued license as a prerequisite.
  - (3) "Category III: Added Authorizations," defined as educator preparation programs leading to authorizations that can be added to an existing credential.
- ~~(f) "Late review" refers to the submission of a Biennial Report, as defined in the *Accreditation Handbook* Chapter Five, Biennial Reports (rev. 2012), available on the Commission's website and hereby incorporated by reference, and/or a Program Assessment, as defined in Chapter Six, Program Assessment (rev. 2012), available on the Commission's website and hereby incorporated by reference, after the deadline established pursuant to the *Accreditation Handbook* Chapter Four, The Accreditation Cycle (rev. 2012).~~
- (f) "Eligibility criteria" are Commission-adopted criteria that must be responded to by an institutions seeking Initial Institutional Approval and reviewed by Commission staff prior to Commission consideration for Initial Institutional Approval.

## Attachment A

- ~~(g) “Program Assessment” is a process that occurs in year four of the seven year accreditation cycle and requires professional preparation programs to submit to the Commission a clear description of how a program is operating as explained in the *Accreditation Handbook* Chapter Six, Program Assessment (rev. 2012).~~
- ~~(g) “Initial Institutional Approval” is a multi-stage approval process used by the Commission when an institution is not currently approved to prepare educators for certification in California. If granted approval, the institution becomes part of the ongoing accreditation cycle.~~
- ~~(h) “Professional preparation program” refers to an institution that has been approved by the Commission and accredited by the Committee on Accreditation to offer a program which leads to the issuance of teaching credentials, services credentials, specialist credentials, added authorizations, or certificates.~~
- ~~(h) “Initial Program Review” is the review of an institution’s formal response to the program standards associated with the specific type of educator preparation program for which the institution is pursuing approval. Initial Program Review occurs when an institution intends to offer a new educator preparation program type or when the Commission significantly revises program standards. Initial Program Review is conducted by two or more volunteer Board of Institutional Reviewers members or other volunteer education expert who determine whether the proposed program meets all relevant requirements for that credential program. Once the Board of Institutional Review members makes that determination, the Committee on Accreditation consider the program proposal for approval.~~
- ~~(i) “Site revisit” is an accreditation visit that is conducted as a result of an action taken by the Committee on Accreditation to place stipulations on the accreditation of a professional preparation program as detailed in the *Accreditation Handbook* Chapter Fifteen, The Accreditation Revisit (rev. 2012), available on the Commission’s website and hereby incorporated by reference.~~
- ~~(i) “Institution” means any of the following categories of agencies that are authorized to seek Initial Institutional Approval as defined in subsection (g) in order to submit an educator preparation program for approval and accreditation:~~
- ~~(1) A California county superintendent of schools office;~~
  - ~~(2) A California school district;~~
  - ~~(3) A charter school as established in Education Code section 47605;~~
  - ~~(4) A regionally-accredited college or university;~~
  - ~~(5) A non-governmental or community-based organization as established in Education Code section 44227.2.~~
- ~~(j) “Site visit” is an accreditation visit conducted in the seventh year of the accreditation cycle as specified in the *Accreditation Handbook* Chapter Four, The Accreditation Cycle (rev. 2012).~~

## Attachment A

- (j) “Seventh year report” is a report required by the Committee on Accreditation following the year six accreditation team site visit. Seventh year reports detail how the institution is addressing issues identified during the site visit and are prepared by the institution and submitted to the Committee on Accreditation for review. Seventh year reports are required of all institutions with stipulations and may be required for institutions without stipulations for which the Committee on Accreditation has specifically taken action to require a 7<sup>th</sup> year report.
- ~~(k) “Standard accreditation cycle” refers to the seven year accreditation cycle specified in the Accreditation Handbook Chapter Four, The Accreditation Cycle (rev. 2012).~~
- ~~(l) “Stipulations” are placed on the accreditation of a professional preparation program by the Committee on Accreditation when it is determined that one or more applicable common and/or program standards have not been met or have been met with concerns as explained in the Accreditation Handbook Chapter Eight, Accreditation Decisions: Options and Implications (rev. 2012), available on the Commission’s website and hereby incorporated by reference.~~

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

### §80692. Program Approval and Accreditation Fees

The following fees associated with the activities defined in §80691 shall be submitted to the Commission by the professional preparation program:

- (a) ~~Fees for document review beyond the Standard Accreditation Cycle shall be submitted with the professional preparation program’s formal response to the applicable standards as follows:~~ Initial Institutional Approval and Initial Program Approval Fees:
- ~~(1) Initial institutional approval: \$2,000 flat fee. Review of eligibility criteria: \$1,000~~
  - ~~(2) Initial program review: Review of Initial Institutional Approval documents:~~
    - ~~(A) Professional preparation program that addresses twelve or more standards: \$2,000 flat fee. Common standards response document: \$1,000 flat fee.~~
    - ~~(B) Professional preparation program that addresses six to eleven standards: \$1,500 flat fee. Initial, general and program specific preconditions: \$1,000 flat fee.~~
  - ~~(3) Professional preparation program that addresses fewer than six standards: \$1,000 flat fee. Initial Program Review:~~
    - (A) Category I: Preliminary/Initial Preparation program review: \$2,000 flat fee.
    - (B) Category II: Second Tier Preparation program review: \$1,500 flat fee.
    - (C) Category III: Added Authorization program review: \$1,000 flat fee.
  - ~~(4) A professional preparation program that provides a number of Board of Institutional Review members that is equal to or greater than two times the number of their program~~

## Attachment A

~~documents submitted for initial program review annually and that assume all travel costs related to the review of the program documents submitted for initial review shall be exempt from payment of the fees associated with this subsection. Initial focused site visit: \$1,000 per individual attending the site visit.~~

- (b) Fees for the following activities in excess of the regularly scheduled accreditation activities shall be submitted to the Commission in the year that the extraordinary activities are performed:
- (1) Focused site visit: \$1,000 for each individual attending the focused site visit.
  - (2) ~~Late reviews: \$500 per document.~~ Review of late submission of accreditation documentation required throughout accreditation cycle: \$500 per document.
  - (3) ~~Program assessments: Joint visitation with national accreditation bodies: \$2,500 flat fee.~~
    - (A) ~~No fee shall be charged for the first three reviews of a program assessment submitted by a professional preparation program. The fee for review of a program assessment beyond the first three reviews: \$1,000 flat fee.~~
    - (B) ~~A professional preparation program that does not complete the program assessment process at least six months prior to a scheduled site visit: \$3,000 flat fee for two additional Board of Institutional Review members to review the program during the site visit.~~
  - (4) ~~Stipulations: Seventh Year Activities:~~
    - (A) ~~Site revisit: \$1,000 per individual attending the site revisit; Accreditation site revisit: \$1,000 per individual attending the site visit in the seventh year.~~
    - (B) ~~Review of a report due to stipulations that does not require a site revisit as detailed in the *Accreditation Handbook* Chapter Nine, *Activities during the Seventh Year of the Accreditation Cycle* (rev. 2012), available on the Commission's website and hereby incorporated by reference: \$500 flat fee; Review of seventh year report on how stipulations have been addressed when no site revisit is required by the Committee on Accreditation: \$500 flat fee.~~
    - (C) ~~Review of a report associated with a site revisit as detailed in the *Accreditation Handbook* Chapter Nine, *Activities during the Seventh Year of the Accreditation Cycle* (rev. 2012): \$1,000 flat fee. Review of report associated with an accreditation site revisit: \$1,000 flat fee.~~

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



## Attachment A

### Appendix B – Current Regulations CALIFORNIA CODE OF REGULATIONS TITLE 5. EDUCATION

#### DIVISION 8. COMMISSION ON TEACHER CREDENTIALING ARTICLE 3. Other Program Approval Procedures

Subarticle 3. Cost Recovery Fees for Program Approval and Accreditation  
§ 80691. Definitions.

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

(a) “Board of Institutional Review member” is an individual who has successfully completed the Commission-provided training detailed in the *Accreditation Handbook* Chapter Eleven, Board of Institutional Review Member Skills and Competencies (rev. 2012), available on the Commission's website and hereby incorporated by reference.

(b) “Focused site visit” is a site visit requested by the Committee on Accreditation when it is determined that the professional preparation program is not complying with the accreditation system activities specified in the *Accreditation Handbook* Chapter Four, The Accreditation Cycle (rev. 2012), available on the Commission's website and hereby incorporated by reference.

(c) “Initial Institutional Approval” is granted by the Committee on Accreditation when an institution that has not previously prepared educators for certification in California has been deemed to meet the accreditation requirements as explained in the *Accreditation Handbook* Chapter Three, Institutional and Program Approval (rev. 2012), available on the Commission's website and hereby incorporated by reference.

(d) “Initial Program Review” is the review of a professional preparation program's formal response to the program standards associated with a specific program type as explained in the *Accreditation Handbook* Chapter Three, Institutional and Program Approval (rev. 2012). Initial program review occurs when a professional preparation program intends to offer a new professional preparation program type or when the Commission revises program standards to such a significant degree that a professional preparation program must rewrite the program document.

(e) “Institution” means any of the following categories of agencies which are authorized to seek Initial Institutional Approval as defined in subsection (c) in order to submit a professional preparation program for approval and accreditation as defined in subsection (h):

- (1) A California county superintendent of schools office;
- (2) A California school district;
- (3) A charter school as established in Education Code Section 47605;
- (4) A regionally-accredited college or university;
- (5) A non-governmental or community-based organization.

## Attachment A

(f) "Late review" refers to the submission of a Biennial Report, as defined in the *Accreditation Handbook* Chapter Five, Biennial Reports (rev. 2012), available on the Commission's website and hereby incorporated by reference, and/or a Program Assessment, as defined in Chapter Six, Program Assessment (rev. 2012), available on the Commission's website and hereby incorporated by reference, after the deadline established pursuant to the Accreditation Handbook Chapter Four, The Accreditation Cycle (rev. 2012).

(g) "Program Assessment" is a process that occurs in year four of the seven year accreditation cycle and requires professional preparation programs to submit to the Commission a clear description of how a program is operating as explained in the Accreditation Handbook Chapter Six, Program Assessment (rev. 2012).

(h) "Professional preparation program" refers to an institution that has been approved by the Commission and accredited by the Committee on Accreditation to offer a program which leads to the issuance of teaching credentials, services credentials, specialist credentials, added authorizations, or certificates.

(i) "Site revisit" is an accreditation visit that is conducted as a result of an action taken by the Committee on Accreditation to place stipulations on the accreditation of a professional preparation program as detailed in the *Accreditation Handbook* Chapter Fifteen, The Accreditation Revisit (rev. 2012), available on the Commission's website and hereby incorporated by reference.

(j) "Site visit" is an accreditation visit conducted in the seventh year of the accreditation cycle as specified in the *Accreditation Handbook* Chapter Four, The Accreditation Cycle (rev. 2012).

(k) "Standard accreditation cycle" refers to the seven-year accreditation cycle specified in the *Accreditation Handbook* Chapter Four, The Accreditation Cycle (rev. 2012).

(l) "Stipulations" are placed on the accreditation of a professional preparation program by the Committee on Accreditation when it is determined that one or more applicable common and/or program standards have not been met or have been met with concerns as explained in the *Accreditation Handbook* Chapter Eight, Accreditation Decisions: Options and Implications (rev. 2012), available on the Commission's website and hereby incorporated by reference.

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

§ 80692. Program Approval and Accreditation Fees.

The following fees associated with the activities defined in §80691 shall be submitted to the Commission by the professional preparation program:

(a) Fees for document review beyond the Standard Accreditation Cycle shall be submitted with the professional preparation program's formal response to the applicable standards as follows:

## Attachment A

- (1) Initial Institutional Approval: \$2,000 flat fee.
- (2) Initial program review:
  - (A) Professional preparation program that addresses twelve or more standards: \$2,000 flat fee.
  - (B) Professional preparation program that addresses six to eleven standards: \$1,500 flat fee.
  - (C) Professional preparation program that addresses fewer than six standards: \$1,000 flat fee.
  - (D) A professional preparation program that provides a number of Board of Institutional Review members that is equal to or greater than two times the number of their program documents submitted for initial program review annually and that assume all travel costs related to the review of the program documents submitted for initial review shall be exempt from payment of the fees associated with this subsection.

(b) Fees for the following activities in excess of the regularly scheduled accreditation activities shall be submitted to the Commission in the year that the extraordinary activities are performed:

- (1) Focused site visit: \$1,000 for each individual attending the focused site visit.
- (2) Late reviews: \$500 per document.
- (3) Program assessments:
  - (A) No fee shall be charged for the first three reviews of a program assessment submitted by a professional preparation program. The fee for review of a program assessment beyond the first three reviews: \$1,000 flat fee.
  - (B) A professional preparation program that does not complete the program assessment process at least six months prior to a scheduled site visit: \$3,000 flat fee for two additional Board of Institutional Review members to review the program during the site visit.
- (4) Stipulations:
  - (A) Site revisit: \$1,000 per individual attending the site revisit;
  - (B) Review of a report due to stipulations that does not require a site revisit as detailed in the *Accreditation Handbook* Chapter Nine, Activities during the Seventh Year of the Accreditation Cycle (rev. 2012), available on the Commission's website and hereby incorporated by reference: \$500 flat fee;
  - (C) Review of a report associated with a site revisit as detailed in the *Accreditation Handbook* Chapter Nine, Activities during the Seventh Year of the Accreditation Cycle (rev. 2012): \$1,000 flat fee.

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

## Attachment A

### Appendix C – Governing Statutes for Proposed Regulations

The following sections of the California Education Code provide the authority and reference for rulemaking.

The authority cited for the Cost Recovery Regulations comes from section 44255 and the regulations reference sections 44225(h), 44371, 44372, 44373(c), 44374 and 44374.5.

#### **Education Code 44225.**

The commission shall do all of the following:

(a) Establish professional standards, assessments, and examinations for entry and advancement in the education profession. While the Legislature recognizes that the commission will exercise its prerogative to determine those requirements, it is the intent of the Legislature that standards, assessments, and examinations be developed and implemented for the following:

(1) (A) The preliminary teaching credential, to be granted upon possession of a baccalaureate degree from a regionally accredited institution in a subject other than professional education, completion of an accredited program of professional preparation, and either successful passage of an examination or assessment that has been adopted or approved by the commission in the subject or subjects appropriate to the grade level to be taught, to include college-level reading, writing, and mathematics skills, or completion of an accredited program of subject matter preparation and successful passage of the basic skills proficiency test as provided for in Article 4 (commencing with Section 44250). The commission shall uniformly consider the results of the basic skills proficiency test in conjunction with other pertinent information about the qualifications of each candidate for a preliminary credential, and may award the credential on the basis of the overall performance of a candidate as measured by several criteria of professional competence, provided that each candidate meets minimum standards set by the commission on each criterion. Upon application by a regionally accredited institution of higher education, the commission may categorically grant credit to coursework completed in an accredited program of professional preparation, as specified by this paragraph, by undergraduates of that institution, where the commission finds there are adequate assurances of the quality of necessary undergraduate instruction in the liberal arts and in the subject area or areas to be taught.

(B) Notwithstanding subparagraph (A), for multiple subject teaching credentials, the baccalaureate degree may be in the subject of professional education.

(2) The professional teaching credential, to be granted upon successful passage of a state examination or assessment in the subject or subjects appropriate to the grade level to be taught, to include college-level basic reading, writing, and mathematics skills, and completion of a period of beginning teacher support that includes assessments of ability to teach subject matter to pupils, ability to work well with pupils, classroom management, and instructional skills. A candidate who successfully passes the examination or assessment pursuant to paragraph (1) shall be deemed to have passed the state examination or assessment in the subject or subjects to be taught pursuant to this paragraph.

## Attachment A

(b) Reduce and streamline the credential system to ensure teacher competence in the subject field or fields, while allowing greater flexibility in staffing local schools. The commission shall award the following types of credentials to applicants whose preparation and competence satisfy its standards:

(1) Basic teaching credentials for teaching in kindergarten, or any of the grades 1 to 12, inclusive, in public schools in the state.

(2) Credentials for teaching adult education classes and vocational education classes.

(3) Credentials for teaching specialties, including, but not necessarily limited to, bilingual education, early childhood education, and special education. The commission may grant credentials to any candidate who concurrently meets the commission's standards of preparation and competence for the preliminary basic teaching credential and the preliminary specialty credential.

(4) Credentials for school services, for positions including, but not limited to, administrators, school counselors, speech-language therapists, audiologists, school psychologists, library media teachers, supervisors of attendance, and school nurses.

The commission may establish standards and requirements for preliminary and professional credentials of each type.

(c) Review and, if necessary, revise the code of ethics for the teaching profession.

(d) Establish standards for the issuance and renewal of credentials, certificates, and permits. In setting standards, the commission shall seek to ensure, through its credentialing of teachers, that public school teachers satisfy all of the following criteria:

(1) Are academically talented.

(2) Are knowledgeable of the subjects to be taught in the classroom.

(3) Are creative and energetic.

(4) Have the human skills to motivate and inspire pupils to achieve their goals.

(5) Have the sensitivity to foster self-esteem in pupils through recognition that each pupil has his or her own goals, talents, and levels of development.

(6) Be willing to relate the educational process and their instructional strategies to meet the needs of pupils.

(7) Are able to work effectively with and motivate pupils from a variety of ethnic, socioeconomic, cultural, academic, and linguistic backgrounds.

(8) Have an understanding of principles and laws related to educational equity, and the equitable practice of the profession of education among all pupils regardless of their ethnicity, race, gender, age, religious background, primary language, or disabling condition.

(e) Determine the scope and authorization of credentials, to ensure competence in teaching and other educational services, and establish sanctions for the misuse of credentials and the misassignment of credential holders. The commission may grant an added or supplementary authorization to a credential holder who has met the requirements and standards of the commission for the added or supplementary authorization. The commission shall exempt the holder of a teaching credential obtained prior to January 1, 1974, who adds an authorization by

## Attachment A

successfully completing a commission-approved subject matter examination, from the requirements of subdivision (e) of Section 44259 and Section 44261.

(f) Collect, compile, and disseminate information regarding exemplary practices in supporting and assessing beginning teachers.

(g) Establish alternative methods for entry into the teaching profession, and into other certificated roles in the schools, by persons in varying circumstances, including persons who have been educated outside of California, provided that each applicant satisfies all of the requirements established by the commission. One alternative method shall be the successful completion of at least two years of classroom instruction under a district intern certificate, pursuant to Article 7.5 (commencing with Section 44325). In establishing alternative methods for entry into the teaching profession, the commission shall develop strategies to encourage classroom aides to become credentialed teachers.

(h) Adopt a framework and general standards for the accreditation of preparation programs for teachers and other certificated educators pursuant to Article 7 (commencing with Section 44320).

(i) Appoint classroom teachers, school administrators, other school services personnel, representatives of the public, and public or private higher education representatives to one or more standing committees, which shall be given authority to recommend to the commission standards relating to examinations, performance assessments, program accreditation, and licensing. The commission shall establish criteria for membership on those committees, and shall determine the terms of committee members. Appointments to standing committees by the commission shall reflect, to the extent feasible, the ethnic and cultural diversity of the California public schools.

(j) Consult with classroom teachers, faculty members from institutions of higher education that maintain accredited programs of professional preparation for teachers, administrators or other school services personnel, and other experts to aid in the development of examinations and assessments, and to study the impact of examinations and assessments on the teaching profession. To increase the fairness of its certification decisions, the commission may uniformly consider the results of tests, subtests, and assessments in conjunction with each other, and in conjunction with other pertinent information about the qualifications of each candidate. The commission may award credentials on the basis of average overall performances by candidates on several criteria of professional competence, provided that each candidate meets minimum standards set by the commission on each criterion.

(k) Adopt standards for all examinations and assessments which shall ensure that all prospective teachers demonstrate an understanding of the history and cultures of the major ethnic populations of this state and of teaching strategies for the acquisition of English language skills by non-English-speaking pupils.

## Attachment A

(l) Determine the terms of credentials, certificates, and permits, except that no credential, certificate, or permit shall be valid for more than five years from the date of issuance. This article shall govern the issuance of any credential, certificate, or permit, except as follows:

(1) A credential, certificate, or permit shall remain in force as long as it is valid and continues to be valid under the laws and regulations that were in effect when it was issued.

(2) The commission shall grant teaching credentials pursuant to statutes that were in effect on December 31, 1988, to candidates who, prior to the effective date of regulations to implement subdivision (a), are in the process of meeting the requirements for teaching credentials that were in effect on December 31, 1988, except that neither enrollment as an undergraduate student nor receipt of a baccalaureate degree from a regionally accredited institution prior to the effective date of the regulations shall, by themselves, exempt a candidate from the requirements of subdivision (a). Enrollment in a preparation program for teachers prior to the effective date of the regulations shall not exempt a candidate from the requirements of paragraph (2) of subdivision (a), if the preliminary credential of the candidate was granted after the effective date of the regulations.

(m) Review requests from school districts, county offices of education, private schools, and postsecondary institutions for the waiver of one or more of the provisions of this chapter or other provisions governing the preparation or licensing of educators. The commission may grant a waiver upon its finding that professional preparation equivalent to that prescribed under the provision or provisions to be waived will be, or has been, completed by the credential candidate or candidates affected or that a waiver is necessary to accomplish any of the following:

(1) Give a local educational agency one semester or less to address unanticipated, immediate, short-term shortages of fully qualified educators by assigning a teacher who holds a basic teaching credential to teach outside of his or her credential authorization, with the teacher's consent.

(2) Provide credential candidates additional time to complete a credential requirement.

(3) Allow local school districts or schools to implement an education reform or restructuring plan.

(4) Temporarily exempt from a specified credential requirement small, geographically isolated regions with severely limited ability to develop personnel.

(5) Provide other temporary exemptions when deemed appropriate by the commission.

No provision in this chapter may be waived under Section 33050 and 33051, after June 30, 1994, by the state board.

(n) It is the intent of the Legislature that the commission develop models for voluntary use by California colleges and universities that do not have these models in place, to assist in the screening of applications for admission to teacher education programs. The models shall give emphasis to the following qualifications of the applicants: academic talent, knowledge of subjects to be taught, basic academic skills, creativity, experience in working with children and adolescents, ability to motivate and inspire pupils, and willingness to relate education to pupils with a wide variety of cultural, ethnic, and academic backgrounds. The commission may continue to administer the state basic skills proficiency test, in order (1) to utilize the results of

## Attachment A

this test in awarding preliminary teaching credentials and emergency permits, and (2) to enable colleges and universities to utilize this test in conjunction with other appropriate sources of information in teacher preparation admission decisions. However, it is the intent of the Legislature that applicants for admission to teacher preparation programs may not be denied admission solely on the basis of state basic skills proficiency test results. The commission may recover the costs of administering and developing the test by charging examinees a fee for taking the test.

(o) It is the intent of the Legislature that the commission encourage colleges and universities to design and implement, by August 1, 1990, concentrated internship programs for persons who have attained a bachelor's degree in the field in which they intend to teach. Those programs would be targeted at subject area shortages, would substitute for conventional training programs, and would include a full summer session of college-level coursework, a one-year internship, or the equivalent, a seminar throughout the internship, and a summer session following the internship. Educator preparation through internship programs shall be subject to Article 10 (commencing with Section 44370).

(p) Grant a field placement certificate to any candidate who has been admitted to an accredited program of professional preparation, and who must complete a supervised practicum in public elementary or secondary schools as a condition for completion of the program. The commission shall establish standards for the issuance of field placement certificates.

(q) Propose appropriate rules and regulations to implement the act which enacts this section.

(r) Adopt subject matter assessments for teaching credentials after developing those assessments jointly with the Superintendent.

*(Amended by Stats. 2017, Ch. 123, Sec. 1. (AB 170) Effective January 1, 2018.)*

### **44370.**

The Legislature finds and declares that the competence and performance of professional educators depends in part on the quality of their academic and professional preparation. The Legislature recognizes that standards of quality in collegiate preparation complement standards of candidate competence and performance, and that general standards and criteria regarding the overall quality of a candidate's preparation are as essential as the assessment of the candidate's competence and performance.

*(Amended by Stats. 1993, Ch. 426, Sec. 1. Effective January 1, 1994.)*

### **44371.**

(a) The system for accreditation of educator preparation shall do all of the following:

- (1) Concentrate on the overall quality of educator preparation in credential programs.
- (2) Hold professional elementary, secondary, and postsecondary educators responsible for quality in the preparation of professional practitioners.
- (3) Contribute to improvements in educator preparation and recognize excellence in preparation programs and institutions.



## Attachment A

(4) Be governed by an accreditation framework that sets forth the policies of the commission regarding the accreditation of educator preparation.

(b) The accreditation framework shall do all of the following:

(1) Establish broad, flexible policies and standards for accreditation of educator preparation.

(2) Define the accreditation responsibilities, authority, and roles of the commission and the Committee on Accreditation.

(3) Establish an accreditation system that is efficient and cost effective.

(4) Require that accreditation decisions be based on sufficient, reliable evidence about the quality of educator preparation.

*(Amended by Stats. 2011, Ch. 348, Sec. 7. (SB 941) Effective January 1, 2012.)*

### **44372.**

The powers and duties of the commission regarding the accreditation system shall include the following:

(a) Adopt and implement an accreditation framework, which sets forth the policies of the commission regarding the accreditation of educator preparation in California.

(b) Establish and modify credential-specific standards, experimental program standards, and alternative program standards, as defined in the adopted accreditation framework.

(c) Rule on the eligibility of an applicant for accreditation when the applying institution has not previously prepared educators for state certification in California, pursuant to subdivision (a) of Section 44227.

(d) Appoint and reappoint the members of the Committee on Accreditation, in accordance with Section 44373, by selecting among nominees submitted by a panel of distinguished educators.

(e) Review periodic accreditation reports by the Committee on Accreditation, and refer accreditation issues and concerns to the committee for its examination and response.

(f) Hear and resolve appeals of accreditation decisions, pursuant to subdivision (e) of Section 44374.

(g) Allocate resources annually for implementation of the accreditation system.

(h) With the Committee on Accreditation, jointly design an evaluation of accreditation policies and their implementation.

(i) Inform and advise the Legislature regarding statutory issues related to accreditation, and submit legislative recommendations, after considering the advice of the Committee on Accreditation, educational institutions, and professional organizations.

*(Amended by Stats. 2011, Ch. 348, Sec. 8. (SB 941) Effective January 1, 2012.)*

## Attachment A

### **44373(c).**

The committee shall do, but shall not be limited to doing, all of the following:

- (1) Make decisions about the accreditation of educator preparation. The committee's decision making process shall be in accordance with the accreditation framework.
- (2) Make decisions about the initial accreditation of new programs of educator preparation in accordance with procedures established by the committee.
- (3) Determine the comparability of standards submitted by applicants with those adopted by the commission, in accordance with the accreditation framework.
- (4) Adopt guidelines for accreditation reviews, and monitor the performance of accreditation teams and other aspects of the accreditation system.
- (5) Present an annual accreditation report to the commission and respond to accreditation issues and concerns referred to the committee by the commission.

*(Repealed and added by Stats. 1993, Ch. 426, Sec. 7. Effective January 1, 1994.)*

### **44374.**

(a) The accreditation framework shall include common standards that relate to aspects of program quality that are the same for all credential programs. The framework shall also include multiple options for program standards.

(b) The accreditation framework shall include provisions regarding well-trained accreditation teams whose members shall be drawn from a pool of California college and university faculty members and administrators, elementary and secondary school teachers and other certificated professionals, and local school board members. For each accreditation visit there shall be one team, whose size, composition, and expertise shall be constituted according to the accreditation framework.

(c) An accreditation team shall present its report and recommendations to the Committee on Accreditation in accordance with the accreditation framework. The committee shall consider the accreditation team report and recommendations, and shall also consider evidence, which may be submitted by the institution, that the team demonstrated bias or acted arbitrarily or capriciously or contrary to the policies of the accreditation framework or the procedural guidelines of the committee.

(d) The Committee on Accreditation shall make a single decision to accredit, to accredit with stipulations, or to deny accreditation to an institution's credential programs, pursuant to Section 44373 and the accreditation framework.

(e) An institution has the right to appeal to the commission if the procedures or decisions of an accreditation team or the Committee on Accreditation are arbitrary, capricious, unfair, or contrary to the policies of the commission or the procedural guidelines of the committee. An institution also has the right to recommend changes in the accreditation policies of the commission, which shall be considered by the commission in consultation with the executive director and the Committee on Accreditation.

## Attachment A

(f) At the request of an institution, the accreditation of an education unit or a specific program by a national accrediting body shall substitute for state accreditation provided that the national accrediting body has satisfied the applicable conditions set forth in the accreditation framework.

*(Repealed and added by Stats. 1993, Ch. 426, Sec. 9. Effective January 1, 1994.)*

### **44374.5**

(a) The commission may charge fees to cover the standard costs of reviewing new and existing educator preparation programs. Sponsors of educator preparation programs shall submit the established fee to the commission when submitting a proposal for a new program, and, as determined by the commission, for the review of an existing program. The commission shall not waive the fee for the review of existing programs for in-kind contributions from sponsors of educator preparation programs. The commission may review the established fees on a periodic basis and adjust the fees as necessary. The commission shall notify the chairpersons of the committees and subcommittees in each house of the Legislature that consider the State Budget and the Department of Finance at least 30 days before implementing the fees and at least 30 days before making any subsequent fee adjustments.

(b) The commission may charge commission-approved entities a fee to recover the costs of accreditation activities in excess of the regularly scheduled data reports, program assessments, and accreditation site visits. This includes, but is not necessarily limited to, accreditation revisits, addressing stipulations, or program assessment reviews beyond those supported within the standard costs of review. Sponsors of educator preparation programs shall submit the established fee to the commission in the year that the extraordinary activities are performed. The commission may review the established fee on a periodic basis, and adjust the fee as necessary. The commission shall notify the chairpersons of the committees and subcommittees in each house of the Legislature that consider the State Budget and the Department of Finance at least 30 days before implementing the fee and at least 30 days before making any subsequent fee adjustments.

*(Amended by Stats. 2014, Ch. 32, Sec. 29. (SB 858) Effective June 20, 2014.)*

## Attachment A

### Appendix D Calculations for Determination of Fees

Round-trip travel expenses are to be covered at \$600 for a 1-day meeting and \$800 for a 2-day meeting, or \$1000 for a 3-day event for volunteers to review documents.

- Category I programs take a full day and possibly a bit more for the two members to complete the review of a program
- Category II programs take about 2/3-3/4 of a day for the two members to complete the review of a program
- Category III programs take about ½ to 2/3 of a day for the two members to complete the review of a program

<b>Beyond Standard Accreditation Cycle Activities Education Code §44374.5</b>	<b>Proposed Cost Recovery Fee</b>	<b>Calculation of Fee <i>Cost to the agency is approximately</i></b>
<b>Initial Institutional Approval</b>		
Review of IIA Eligibility Requirements <ul style="list-style-type: none"> <li>• Attend Accreditation 101 (Administrator, Consultant x2, AGPA 1 day each=\$1,441 for the day; 4-8 institutions attend the event)</li> <li>• Review Eligibility requirements (Consultant 1 day, Analyst 1 day, Administrator 2 hours=\$ 989)</li> </ul>	\$1,000	$(\$ 180 - \$ 360) + 989$ $= \mathbf{\$1,169 - \$1,349}$
Review of IIA Common Standards	\$1,000	2 reviewers, \$600 in travel for each $\mathbf{\$1,200}$
Review of IIA Preconditions <i>Consultant review and work with prospective sponsor— 2-3 days @ 492.12 per day</i>	\$1,000	$\mathbf{\$ 984 - \$ 1,476}$
<b>Extraordinary Fees</b>		
Initial Focused Site Visit: 2-3 days	<i>\$1,000 per team member</i>	$\mathbf{\$1,000}$ in travel expenses per individual
Initial Program Review: Category I <ul style="list-style-type: none"> <li>• 2 BIR Members review</li> <li>• Consultant work prior to submission ~ 1 day</li> <li>• Consultant and Analyst work prior and post review .5 day each</li> </ul>	\$2,000	$\$ 600 \times 2 \text{ readers} +$ $\$ 492 \text{ consultant} +$ $\$ 246 \text{ consultant}$ and $\$ 193 \text{ analyst} =$ $\mathbf{\$1,951}$
Initial Program Review: Category II Second Tier <ul style="list-style-type: none"> <li>• 2 BIR Members review</li> <li>• Consultant work prior to submission ~ .75 day</li> </ul>	\$1,500	$\$ 450 \times 2 \text{ readers} +$ $\$ 369 \text{ consultant} +$

## Attachment A

<b>Beyond Standard Accreditation Cycle Activities Education Code §44374.5</b>	<b>Proposed Cost Recovery Fee</b>	<b>Calculation of Fee <i>Cost to the agency is approximately</i></b>
<ul style="list-style-type: none"> <li>• <i>Consultant and Analyst work prior and post review .4 day each</i></li> </ul>		<i>\$ 196 consultant and \$ 154 analyst= <b>\$ 1,479</b></i>
Initial Program Review: Category III <ul style="list-style-type: none"> <li>• <i>2 BIR Members review</i></li> <li>• <i>Consultant work prior to submission ~ .50 day</i></li> <li>• <i>Consultant and Analyst work prior and post review .3 day each</i></li> </ul>	\$1,000	<i>\$ 300 x 2 readers + \$ 246 consultant + \$ 148 consultant and \$ 115 analyst = <b>\$ 1109</b></i>
Focused Site Visit -Usually a 2-3 day event	<i>\$1,000 per team member.</i>	<b>\$1,000</b> in travel expenses per team member
Late Submission of Accreditation Documentation Analyst follow up with institution: 2 hours-2 days Consultant schedule and facilitate late review	<i>\$500 per document</i>	<i>~ \$385 analyst + ~ \$ 492 consultant = <b>\$ 877</b></i>
Modified the fee for not completing required activities of the accreditation cycle	<i>\$1,000 per team member</i>	<b>\$1,000</b> in travel expenses per team member
Joint visitation fee with regional or national accrediting bodies.	\$2,500	<b>Amount CAEP charges the Commission</b>
Site revisit fee with minimum added.	<i>\$1,000 per member</i>	<b>\$1,000</b> in travel expenses per team member
Review of 7 <sup>th</sup> year report with no site visit Consultant follow up through Year 7—2-6 days through Year 7 @ \$492/day	\$500	<b>~ \$ 984 - \$ 2,952</b>
Review of 7 <sup>th</sup> year report associated with a site revisit Consultant follow up through Year 7: 3-7 days through Year 7 @ \$492/day	\$1,000	<b>~ \$ 1,476 - \$ 3,444</b>

### **Hourly staff costs**

<i>Position</i>	<i>Mid-Step Hourly Wage with benefits</i>
<i>Administrator</i>	<i>\$70.53</i>
<i>Consultant</i>	<i>\$61.59</i>
<i>AGPA</i>	<i>\$48.14</i>
<i>SSA</i>	<i>\$35.36</i>