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# 2F

## Action

### *Educator Preparation Committee*

#### **Proposed Adoption of Regulations Regarding New Options for Meeting the Subject Matter Competence Requirement**

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**Executive Summary:** This agenda item presents draft proposed regulations to clarify and standardize implementation of new options for meeting the subject matter competence requirement in Education Code section 44259 and 44310 that were created by AB 130 (Chap. 44, Stats. 2021).

**Recommended Action:** That the Commission approve the draft regulations.

**Presenter:** David DeGuire, Director, Professional Services Division

#### **Strategic Plan Goal**

##### ***II. Program Quality and Accountability***

- a) Develop and maintain rigorous, meaningful, and relevant standards that drive program quality and effectiveness for the preparation of the education workforce and are responsive to the needs of California's diverse student population.

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# Proposed Adoption of Regulations Regarding New Options for Meeting the Subject Matter Competence Requirement

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## Introduction

This agenda item presents draft regulations to clarify and standardize implementation of new options to the Subject Matter Competence requirement in Education Code section 44259 and 44310 that were created in AB 130 (Chap. 44, Stats. 2021). [Appendix A](#) contains the updated sections of the Education Code that addresses the Subject Matter Competence requirement.

## Background

In July 2021, AB 130 (Chap. 44, Stats. 2021) created new options in the Education Code for candidates to demonstrate their subject matter competence through (a) degree majors in the area of the credential, (b) coursework that covers the domains of the applicable Subject Matter Requirements for the credential sought, and (c) a combination of coursework and examination subtests required for the credential sought by the candidate.

At its June 2021 meeting, the [Commission approved emergency regulation language](#) based on what was anticipated to be the final bill language. Because the bill was still in the Legislature, the Commission also gave staff permission to adjust the final version of the emergency regulations to be submitted to the Office of Administrative Law (OAL) based on any changes to the final bill.

The final version of the bill that was passed by the Legislature and signed by the Governor on July 9, 2021, contained two important changes from what had been anticipated in June 2021:

1. The requirement for a subject matter expert to be involved in the coursework review process was not included.
2. The option of meeting Subject Matter Competence through a major related to the credential being sought was added.

Based on these changes, staff removed language regarding subject matter experts and added language regarding the use of majors before submitting the final version of the emergency regulations. OAL reviewed the proposed regulations and informed staff that the regulations could not be approved at that time as submitted without Commission approval due to the substantive changes in statute. It was recommended that the updated regulations be presented to the Commission for review and approval.

On October 13, 2021, Commission staff issued [Program Sponsor Alert \(PSA\) 21-11](#) to inform teacher preparation programs that, even though the emergency regulations were not approved, AB 130 already gave them the authority to complete coursework evaluations for meeting the Subject Matter Competence requirement.

Staff believes that regulations for the section of Education Code 44259 updated by AB 130 are still needed to clarify what kinds of majors are acceptable as meeting the Subject Matter Competence requirement and to standardize across the state how transcripts are reviewed for coursework that addresses each of the Domains of the Subject Matter Requirements adopted by the Commission for preliminary teaching credentials.

### **Proposed Regulations**

*Acceptable Coursework:* The proposed standards for acceptable coursework that covers one or more Domains of the Subject Matter Requirements for a credential are that the coursework must:

- Result in a candidate grade of “C” or its equivalent (e.g., Pass, Credit) or higher;
- Be credit bearing and usable toward earning an Associate degree or higher;
- Be completed at a regionally accredited college or university; and
- Permit the use of upper division or graduate courses that exceed the subject matter domain, if the course content requires existing knowledge of the subject matter domain. For example, Differential Calculus is a higher-level math course that requires the student to have already mastered the domain of Algebra.

*Acceptable Majors:* The proposed regulations clarify the meaning of “a major in one of the subject areas in which the commission credentials candidates” for Single Subject credentials. The proposed regulations indicate that the name of the credential must be in the name of the major or degree. They provide further guidance regarding several specific credential areas:

- A major in Kinesiology is acceptable for Physical Education.
- For the Foundational-Level Science credential, any major offered by the Science department of a regionally accredited college or university is acceptable.
- For World Language: English Language Development, a degree title may include either English Language Development (ELD), Teaching English to Speakers of Another Language (TESOL), or Teaching English as a Foreign Language (TEFL).

*Multiple Subject Credential Majors:* The proposed regulations define that for a Multiple Subject credential, “Liberal Studies” includes majors in Liberal Arts, Interdisciplinary Studies, and Elementary Education. This definition will assure both candidates and preparation programs that these additional majors will be accepted as meeting the subject matter competence requirement without the need for a full transcript review for coursework, which requires more time for educator preparation program staff.

The full text of the proposed regulations is provided below:

#### **§ 80096. Determination of Subject Matter Competency.**

*(a) When reviewing official transcripts for subject matter competency under sections 44259(b)(5)(A)(iii) (and (v) of the Education Code, acceptable coursework shall be defined as:*

- (1) Coursework earned with a grade of “C” or higher. Courses earned with “Pass,” “Credit,” or another designation deemed by the institution of higher education to be equivalent to a grade “C” or higher is also acceptable.*

*(2) Coursework that is degree-applicable to an Associate or higher degree and credit-bearing. Remedial coursework is not acceptable.*

*(3) Coursework that was completed at a regionally accredited institution of higher education.*

*(4) Upper division or graduate coursework that exceeds one or more subject matter domain, if the course content requires existing knowledge of the subject matter domain.*

*(b) When reviewing official transcripts for subject matter competency for a Single Subject Credential under section 44259(b)(5)(A)(iv)(I) of the Education Code, a major in one of the subject areas in which the commission credentials candidates shall mean:*

*(1) For the single subject areas of Agriculture, Art, Business, Dance, English, Health Science, Home Economics, Industrial and Technology Education, Mathematics (Math), Music, and Theater, successful completion of a baccalaureate or higher degree at a regionally accredited institution of higher education where the title of the degree earned includes the subject area of the credential to be earned in the name of the major.*

*(2) For the single subject area of Physical Education, the title of the degree must include either Physical Education or Kinesiology.*

*(3) For the single subject area of Science, successful completion of a baccalaureate or higher degree at a regionally accredited institution of higher education where the title of the degree earned includes the science concentration subject area of the credential to be earned in the name of the major, as follows:*

*(A) For the Foundational-Level Science credential, successful completion of any degree major offered by the science department of a regionally accredited institution of higher education.*

*(B) For the Biological Science credential, the title of the degree must include the area of Biology.*

*(C) For the Chemistry credential, the title of the degree must include the area of Chemistry.*

*(D) For the Geoscience credential, the title of the degree must include the area of Geoscience or Earth Science.*

*(E) For the Physics credential, the title of the degree must include the area of Physics.*

*(4) For the single subject area of World Language, successful completion of a baccalaureate or higher degree at a regionally accredited institution of higher education where the title of the degree earned lists the specific world language of the subject area of the credential to be earned in the name of the major. For World Language: English Language Development, a degree title may include English Language Development (ELD), Teaching English to Speakers of Another Language (TESOL), or Teaching English as a Foreign Language (TEFL).*

*(c) When reviewing official transcripts for subject matter competency for a Multiple Subject Credential under section 44259(b)(5)(A)(iv)(II) of the Education Code, a liberal studies major shall mean:*

*(1) Successful completion of a baccalaureate or higher degree at a regionally accredited institution of higher education where the degree title is one of the following:*

*(A) Liberal Studies*

- (B) Liberal Arts*
- (C) Interdisciplinary Studies*
- (D) Elementary Education*

*(d) When reviewing official transcripts for subject matter competency for a Multiple Subject Credential under section 44259(b)(5)(A)(iv)(II) of the Education Code for any other degree that includes coursework in the content areas pursuant to subdivision (b) of Section 44282 of the Education Code, such coursework must meet the criteria set forth in subsections (a)(1), (a)(2), and (a)(3) above.*

**Staff Recommendation**

Staff recommends that the Commission approve the proposed regulations language and direct staff to submit a regulations package to the Office of Administrative Law.

**Next Steps**

If so directed, staff will prepare an emergency regulations package and submit it to the Office of Administrative Law. Staff will also communicate with programs and update the Commission website to provide information on the rulemaking process and opportunities to provide public comment on the proposed regulations.

## Appendix A

### Education Code § 44259 (b) (5)

(5) (A) Verification of subject matter competence, demonstrated through one of the following methods:

- (i) Completion of a subject matter program approved by the commission on the basis of standards of program quality and effectiveness pursuant to Article 6 (commencing with Section 44310).
- (ii) Passage of a subject matter examination pursuant to Article 5 (commencing with Section 44280).
- (iii) Successful completion of coursework at one or more regionally accredited institutions of higher education that addresses each of the domains of the subject matter requirements adopted by the commission in the content area of the credential pursuant to Section 44282, as verified by a commission-approved program of professional preparation.
- (iv) Successful completion of a baccalaureate or higher degree from a regionally accredited institution of higher education with the following, as applicable:
  - (I) For single subject credentials, a major in one of the subject areas in which the commission credentials candidates.
  - (II) For multiple subject credentials, a liberal studies major or other degree that includes coursework in the content areas pursuant to subdivision (b) of Section 44282.
  - (III) For education specialist credentials, either a major in one of the subject areas in which the commission credentials candidates or a liberal studies or other major that includes coursework in the content areas pursuant to subdivision (b) of Section 44282.
  - (v) Demonstration that the candidate, through a combination of the methods described in clauses (i), (ii), and (iii) in whole or in part, has met or exceeded each of the domains of the subject matter requirements adopted by the commission in the content area of the credential pursuant to Section 44282 for multiple and single subject credentials, or pursuant to Section 44265 for education specialist credentials.

### Education Code § 44310

(a) The commission shall waive the subject matter examination requirement for graduates of a regionally accredited institution of higher education who successfully do any of the following:

- (1) Complete a subject matter program approved by the commission on the basis of standards of program quality and effectiveness pursuant to this article.
- (2) (A) Complete coursework at one or more regionally accredited institutions of higher education that addresses each of the domains of the subject matter requirements adopted by the commission in the content area of the credential pursuant to Section 44282.  
(B) A program of professional preparation may review transcripts supplied by a candidate and confirm that each domain has been addressed.

(3) Address each of the domains of the subject matter requirements adopted by the commission in the content area of the credential being sought through a combination of examination subtests and coursework described in paragraph (2).

(b) The commission may require that the approved examination be taken by candidates, who are otherwise eligible for an examination waiver, for informational purposes only.