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## Action

### *Educator Preparation Committee*

#### **Proposed Adoption of Regulations Regarding 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 options for meeting the subject matter competence requirement in Education Code sections 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 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 options to the Subject Matter Competence requirement in Education Code sections 44259 and 44310 that were created in AB 130 (Chap. 44, Stats. 2021).

## 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. [Appendix A](#) provides the revised sections of the Education Code.

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.

Because the final version of the bill that was passed by the Legislature and signed by the Governor on July 9, 2021, contained important changes from what had been anticipated in June 2021, staff removed language as authorized by the Commission 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 and the regulation language approved by the Commission in June. 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.

At its December 2021 meeting, the Commission reviewed and approved [revised emergency regulations](#), following the guidance provided by OAL. When these were submitted for review, OAL said that too much time had passed since AB 130 went into effect and that the statutory

requirements for emergency rulemaking were not met<sup>1</sup>. Since the Commission asked staff to seek input from communities of interest and return with updated regulations at the June 2022 meeting, it did not make sense to start a permanent rule making process in February 2022 when it could not be completed before starting another in June 2022.

To identify which majors would be appropriate for including in administrative code as meeting the subject matter competence requirement, staff started with the subject areas that are subsumed under each of the single subject credential areas, i.e., the types of TK-12 courses that credential holders are allowed to teach. Possible majors were then reviewed to see if they covered the domains of the subject matter requirements for the credential (see [Domains of the Subject Matter Requirements](#)). In this process, staff considered the breadth or narrowness of coursework included in a typical academic major. For example, although Economics is a subsumed subject of the Social Sciences credential, the typical Economics major does not cover all six Social Science domains: World History, US History, California History, Principles of American Democracy, Principles of Economics, and Principles of Geography. On the other hand, typical majors in both History and Ethnic Studies were found to have broad treatments of these themes, albeit from different points of view.

The identified majors were shared with educational partners and subject matter experts for their feedback. Partners provided recommendations of majors that should and should not be included based on the many actual coursework reviews they have been conducting this year.

In addition, at its December 2021 meeting, the Commission requested that majors in Kinesiology and Ethnic Studies be reviewed, and staff heard the following from educational partners:

- Many comments received said that regular Kinesiology majors are missing key content related to the TK-12 student standards and student safety during physical activity. They urged that Kinesiology should not be considered for Physical Education.
- Transcript reviewers at three different preparation programs were easily able to find coursework in Ethnic Studies majors that aligned with the domains of the Social Science subject matter requirements. However, when they reviewed Ethnic Studies majors for the Multiple Subject credential, there were usually areas required by Education Code section 44282 that were not found (i.e., language studies, literature, mathematics, science, social studies, history, the arts, physical education, and human development).

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<sup>1</sup> Unless a situation is expressly deemed in statute to meet the emergency standard, an agency must make a finding of emergency by describing specific facts supported by substantial evidence that demonstrate the existence of an emergency and the need for immediate adoption of the proposed regulation. In addition, if the emergency existed and was known by the agency in sufficient time to have been addressed through nonemergency regulations, the finding of emergency shall include facts explaining the failure to address the situation through nonemergency regulations. A finding of emergency based only upon expediency, convenience, best interest, general public need, or speculation, is not adequate to demonstrate the existence of an emergency. (Government Code section 11346.1(b)(2).)

Therefore, a major in Kinesiology is not recommended for the Physical Education credential, and a major in Ethnic Studies has been added for Social Sciences but not for Multiple Subject credentials.

### **Proposed Majors for Inclusion in 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. They indicate that the name of the credential must be in the name of the major or degree or other common majors that cover the subject matter domains of the specific credential areas listed below:

- for World Language: English Language Development, a major in English Language Development (ELD), Teaching English to Speakers of Another Language (TESOL), Teaching English as a Foreign Language (TEFL), or a similar major;
- a major in family and consumer science for the Home Economics credential;
- a major in statistics for the Math credential;
- a major in biochemistry for the Biological Science or Chemistry credential;
- a major in biological engineering for the Biological Science credential;
- a major in chemical engineering for the Chemistry credential;
- a major in geology or earth science for the Geoscience credential;
- a major in mechanical or structural engineering for the Physics credential;
- a major in any science-based engineering program or any degree major offered by a science department for the Foundational-Level Science credential;
- a major in history or ethnic studies for the Social Sciences credential; and
- for the Early Childhood Education Specialist credential, a major in Child Development, Child and Adolescent Development, Human Development, or Early Childhood Education.

*Multiple Subject Credential Majors:* The proposed regulations define that for a Multiple Subject credential, “Liberal Studies” includes majors in Liberal Arts 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.

At the request of some communities of interest, staff reviewed whether majors in Child Development or Early Childhood Education could be considered for the Multiple Subject credential. Reviews of typical majors and transcript reviews conducted by both Certification staff and education partners found that these majors lacked coursework in one or more of the required areas in Education Code section 44282 that are listed above. For comparison, [Appendix B](#) provides a list of required courses for majors in both Early Childhood Studies and Liberal Studies from the same institution, and one can see that the Early Childhood Studies courses do not cover the depth and breadth of upper elementary content that the Liberal Studies major does. [Appendix B](#) also provides some samples of other majors recommended for inclusion.

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 that the name of the credential is in the name of the major or degree and the following:*

*(1) For the single subject area World Language: English Language Development, a major in English Language Development (ELD), Teaching English to Speakers of Another Language (TESOL), Teaching English as a Foreign Language (TEFL), or a similar major.*

*(2) For the single subject area of Home Economics, a major in family and consumer science.*

*(3) For the single subject area of Math, a major in statistics.*

*(4) For the Biological Science credential, a major in biology, biological engineering, or biochemistry.*

*(5) For the Chemistry credential, a major in chemical engineering or biochemistry.*

*(6) For the Geoscience credential, a major in geology or earth science.*

*(7) For the Physics credential, a major in mechanical or structural engineering.*

*(8) For the Foundational-Level Science credential, a major in any type of engineering or any degree major offered by a college or university science department.*

*(9) For the single subject area of Social Sciences, a major in history, ethnic studies, or any other major with a focus on the study of one or more related ethnicities.*

*(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 any of the following:*

- (1) Liberal Studies*
- (2) Liberal Arts*
- (3) 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.*

*(e) When reviewing official transcripts for an Early Childhood Education Specialist Credential under section 44265(a) of the Education Code, subject matter competency may be demonstrated by a major in Child Development, Child and Adolescent Development, Human Development, Early Childhood Education, or a similar major.*

### **Staff Recommendation**

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

### **Next Steps**

If so directed, staff will prepare the regulations package and submit it to the Office of Administrative Law. Staff will also communicate with preparation 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.

#### **Education Code §44282**

(a) The commission shall adopt examinations and assessments to verify the subject matter knowledge and competence of candidates for the single subject teaching credentials described in Section 44257 and the concentrations described in Section 44257.2.

(b) A general subject matter examination authorizing teaching multiple subjects shall include an examination of the candidate's knowledge of the following areas: language studies, literature, mathematics, science, social studies, history, the arts, physical education, and human development.



## Appendix B

### Example Majors

#### Cal Poly Pomona - Early Childhood Studies BA and Liberal Studies major

Early Childhood Studies	Liberal Studies
<p><u>Major Required Courses</u></p> <ul style="list-style-type: none"> <li>• Child Growth and Development</li> <li>• Child, Family and Community</li> <li>• Early Childhood Observation and Assessment</li> <li>• Early Childhood Observation and Assessment Activity</li> <li>• Early Childhood Clinical Practicum I</li> <li>• Early Childhood Clinical Practicum I Activity</li> <li>• Principles and Practices of Teaching Young Children</li> <li>• Introduction to Early Childhood Curriculum</li> <li>• Early Childhood Inquiry and Methodology</li> <li>• Applied Infant/Toddler Studies</li> <li>• Applied Preschool/Primary Studies</li> <li>• Early Childhood Education Leadership and Social Justice</li> <li>• Language and Literacy in Multilingual Families and Communities</li> <li>• Contextual Approaches to Early Childhood Curriculum</li> <li>• Emergent Literacy in First and Second Language Acquisition</li> <li>• Early Childhood Clinical Practicum II</li> <li>• Early Childhood Clinical Practicum II Activity</li> <li>• Numeracy and Inquiry in Multilingual Contexts</li> <li>• Working with Exceptional Children and their Families</li> </ul> <p><u>Major Electives</u></p> <ul style="list-style-type: none"> <li>• Health, Safety and Nutrition for Early Childhood</li> </ul>	<p><u>Major Required Courses</u></p> <ul style="list-style-type: none"> <li>• Water in a Changing World</li> <li>• Earth Science for Elementary Educators with Lab</li> <li>• World Civilizations to 1500</li> <li>• World Civilizations from 1500</li> <li>• Teaching Elementary Physical Education and Fitness plus activity</li> <li>• Inequality in Sport and Physical Activity</li> <li>• Integrating Knowledge, Learning, and Engagement for Success</li> <li>• History and Purposes of the Liberal Arts</li> <li>• Knowledge and Knowing in the Liberal Arts</li> <li>• The Social Sciences in the Liberal Arts</li> <li>• Liberal Studies Special Topics in Humanities: Social Science or Natural Sciences</li> <li>• Arts Integration II</li> <li>• Liberal Studies Senior Capstone – Activating the Liberal Studies Mindset</li> <li>• Introduction to American Government</li> <li>• Integrated Arts</li> </ul> <p><u>Subplan/Option Required</u></p> <ul style="list-style-type: none"> <li>• Chemistry for Elementary Educators plus Lab</li> <li>• Emergent Literacy in First and Second Language Acquisition</li> <li>• The Humanities and the Liberal Arts</li> <li>• The Natural Sciences and the Liberal Arts</li> <li>• Liberal Studies Synthesis Interdisciplinary Perspective on Contemporary Public Education – Service Learning</li> <li>• Mathematical Concepts for Elementary School Teachers</li> </ul>

Early Childhood Studies	Liberal Studies
<ul style="list-style-type: none"> <li>• Early Childhood Teaching in a Diverse Society</li> <li>• Special Topics for Lower Division Students</li> <li>• Special Topics for Lower Division Students Activity</li> <li>• Special Topics for Lower Division Students Laboratory</li> <li>• Special Topics for Upper Division Students</li> <li>• Special Topics for Upper Division Students Activity</li> <li>• Special Topics for Upper Division Students Laboratory</li> </ul>	<ul style="list-style-type: none"> <li>• Mathematical Concepts for Elementary School Teachers: Algebraic and Statistical Reasoning</li> <li>• Mathematical Concepts for Elementary School Teachers: Geometry</li> <li>• Child Psychology for Educators</li> </ul>

### **UC Santa Cruz - Biochemistry and Molecular Biology BS**

- General Chemistry
- General Chemistry Laboratory
- Calculus with Applications
- Calculus for Science, Engineering, and Mathematics
- Statistics
- Statistical Methods for the Biological, Environmental, and Health Sciences
- Statistical Methods for the Biological, Environmental, and Health Sciences Laboratory
- Cell and Molecular Biology
- Development and Physiology
- Experimental Biology Laboratory
- Organic Chemistry
- Organic Chemistry Laboratory
- Introduction to Physics I
- Introduction to Physics I Laboratory
- Introduction to Physics II
- Introduction to Physics II Laboratory
- Introduction to Physics III
- Introduction to Physics Laboratory III
- Biochemistry and Molecular Biology
- Molecular Biology Laboratory
- Toxic RNA Lab II
- Genetics
- Cell Biology
- Eukaryotic Molecular Biology
- Quantum Mechanics, Spectroscopy and Molecular Structure for Biochemistry and Molecular Biology

- Biochemical Thermodynamics and Statistical Mechanics for Biochemistry and Molecular Biology

### **CSU Northridge – Family and Consumer Sciences BS**

- Creative Expression in Family and Consumer Sciences
- Individual and Family Development
- Family Resource Management
- Family and Consumer Sciences Foundations and Research
- Academic Internship
- Academic Internship Evaluation
- General Biology
- General Biology Lab
- Chemistry in Action
- Chemistry in Action Lab
- Apparel Construction I and Lab
- Introductory Textiles
- Introductory Food Science and Lab
- Nutrition for Life
- Cultural Aspects of Food and Nutrition or Maternal, Infant and Child Nutrition
- Issues in Housing
- Contemporary Issues in Food and Nutrition and Lab
- Equipment I and Lab
- Consumer Rights, Issues and Problems
- Child Growth and Development I
- Marriage and Family Relations
- Apparel and Human Behavior
- Parental Development

### **UCLA – Statistics Major**

#### Prerequisite Courses:

- Introduction to Statistical Reasoning
- Introduction to Statistical Programming with R
- Differential and Integral Calculus
- Integration and Infinite Series
- Calculus of Several Variables
- Linear Algebra and Applications

#### Major Courses:

- Introduction to Probability
- Introduction to Mathematical Statistics
- Introduction to Data Analysis and Regression
- Introduction to Computational Statistics with R

- Linear Model
- Introduction to Design and Analysis of Experiment
- Introduction to Computation and Optimization for Statistics
- Introduction to Statistical Models and Data Mining
- Introduction to Monte Carlo Methods
- Practice of Statistical Consulting 1 & 2