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# 3H

## Action

### *Public Hearing*

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

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**Executive Summary:** This agenda item presents a public hearing on the proposed regulations approved by the Commission at its June 2022 Commission meeting 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 Assembly Bill 130 (Chap. 44, Stats. 2021).

**Recommended Action:** That the Commission consider comments made during the public hearing and determine whether additional changes are needed to the revised proposed regulations for meeting the subject matter competence requirement in Education Code sections 44259 and 44310 that were created by Assembly Bill 130.

**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 Regulations Regarding Options for Meeting the Subject Matter Competence Requirement

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## Introduction

At the [June 2022 Commission meeting](#) the Commission adopted proposed 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 Assembly Bill (AB) 130 (Chap. 44, Stats. 2021). Pursuant to the state process for promulgating regulations, the Commission held a requested public hearing on these proposed regulations at its [December 2022 meeting](#). After listening to testimony during the public hearing and reading comments submitted prior to the hearing, the Commission approved revised regulations and instructed staff to submit them to the Office of Administrative Law (OAL) for approval.

In March 2023, OAL staff notified Commission staff that the Commission would need to approve substantive changes to the proposed regulations. The current hearing was scheduled to provide the public an opportunity to comment on the new proposed regulations before the Commission considers them.

## 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.

In order to ensure clarity and operational specificity for the field with regard to these new statutory requirements for subject matter competence, Commission staff presented Agenda Item 3I at the [June 2022](#) meeting. This agenda item presented proposed regulations as well as information on the process that staff engaged in to determine the policy proposed in the draft regulations and described the rationale relied upon for the proposed regulatory language. At the June 2022 meeting, the Commission approved the proposed regulations for candidates to meet the subject matter requirement outlined in Education Code sections 44259 and 44310 that were created in AB 130 (Chap. 44, Stats. 2021). The full text of the proposed regulations adopted by the Commission is included as [Appendix B](#) in this item.

Following the meeting, staff prepared the public notice packet for submission to the Office of Administrative law and issued a notice for the required 45-day public comment period. The Commission also released a Coded Correspondence to publicize the 45-day comment period. ([Coded Correspondence 22-06 Proposed Title 5 Amendments Pertaining to Subject Matter Competence](#)). In November 2022, the Commission received a request for a public hearing to

discuss the proposed regulations, and the December agenda item and the associated public comment portion of the item served to satisfy this request for a public hearing. Based on public comments, the Commission voted to remove the proposed §80096(b)(9) related to majors for the Social Science credential and to approve the rest of the proposed regulations.

In March 2023, staff received feedback from the OAL that substantive changes would be needed for the following issues:

- Remove reference to subject matter domains in subdivision (a) paragraph (4) until such time as the Commission is able to approve revised subject matter requirements and domains and promulgate regulations for them.
- Clarify that that the various types of science credentials are related to the Single Subject Science credentials as authorized in Education Code and not new credentials.
- The phrase “or similar major” is too vague and undefined and would require standards for judging what constitutes a “similar major.” In an effort to move the current package along quickly, staff proposes to remove this phrase and to work to identify a term or definition for similar major that is acceptable to both the field and OAL in a future regulations package.

To address these concerns, staff drafted revised proposed regulations, which were published along with the notice for this hearing in [Coded Correspondence 23-04](#). They are included in [Appendix B](#).

After the Coded Correspondence was published, staff found that one required change still needs to be made to the text in that communication. In paragraph (4) of subdivision (b), the word “credential” should be deleted:

(b)(4) For the single subject area of Science: Biological Science ~~credential~~, a major in biology, biological engineering, or biochemistry.

### **Tally of Responses**

As of April 7, 2023, the Commission has not received any responses.

### **Staff Recommendation**

Staff recommends that the Commission consider all public testimony made during the public comment portion of this item, as well as written comments submitted prior to the hearing. Staff recommends approving the revised proposed regulations in [Appendix B](#) with the deletion of the word “credential” in subdivision (b) paragraph (4) and determine whether additional changes are needed to the proposed regulations.

Staff also requests direction to submit the final regulations package to the Office of Administrative Law.

## **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

The Commission on Teacher Credentialing has illustrated changes to the original text in the following manner: text originally proposed to be added is underlined; text proposed to be deleted is displayed in ~~strikeout~~. Text proposed to be amended in this 15-day notice is shown in double underline for additions and ~~double strike out~~ for deletions.

### CALIFORNIA CODE OF REGULATIONS

#### TITLE 5. EDUCATION

#### DIVISION 8. COMMISSION ON TEACHER CREDENTIALING

#### CHAPTER 1. Credential Issued Under the Teacher Preparation and Licensing Law of 1970

#### Article 3. Examinations and Subject Matter

##### §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 meeting all of the following:

(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, ~~or 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 Other Languages (TESOL), or 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 Mathematics, a major in statistics.

(4) For the single subject area of Science: Biological Science credential, a major in biology, biological engineering, or biochemistry.

(5) For the single subject area of Science: Chemistry ~~credential~~, a major in chemical engineering or biochemistry.

(6) For the single subject area of Science: Geoscience ~~credential~~, a major in geology or earth science.

(7) For the single subject area of Science: Physics ~~credential~~, a major in mechanical or structural engineering.

(8) For the single subject area of Science: 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, or Early Childhood Education, ~~or a similar major.~~

Note: Authority cited: Section 44225, Education Code.