

CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

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OFFICE OF THE EXECUTIVE DIRECTOR

DATE: February 16, 2004 05-0005

TO: All Individuals and Groups Interested in the Activities of the Commission on Teacher Credentialing

FROM: Sam W. Swofford, Ed.D.
Executive Director

SUBJECT: Proposed Amendment of Section 80413 Pertaining to Specific Requirements for Preliminary and Professional Clear Multiple and Single Subject Teaching Credentials for Applicants Prepared in California

Notice of Public Hearing is Hereby Given:

In accordance with Commission policy, proposed Title 5 Regulations are being distributed prior to the public hearing. A copy of the proposed regulations is attached. The added text is underlined, while the ~~deleted~~ text is lined-through. The public hearing is scheduled on:

April 14, 2005
10:00 am
California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, CA 95814

Statement of Reasons

Governor Schwarzenegger signed Assembly Bill 2210 (Liu, Statutes of 2004, Chapter 343) on August 30, 2004. The bill establishes completion of a Commission-approved induction program as the required route for earning an SB 2042 professional clear multiple subject or single subject teaching credential. If an induction program is unavailable to the preliminary credential holder, the candidate will be allowed to complete a Commission-approved fifth year program. It also allows a candidate to

complete a fifth year program if the candidate must complete subject matter course work to meet No Child Left Behind (NCLB) “highly qualified teacher” requirements.

Assembly Bill 2210 contained an urgency clause, which made the bill effective the day Governor Schwarzenegger signed the bill on August 30, 2004. The bill did not include a transition period; consequently the Commission does not have the authority to include a transition period in the regulations. The bill requires the Commission to adopt Title 5 regulations to clarify that, other than specified exceptions, the Commission-approved induction program is required for the SB 2042 professional clear credential.

The proposed regulations provide that an employing agency, defined as a public school district, county office of education, state operated school, nonpublic, nonsectarian school, charter school and private school, determines if a Commission-approved induction program is available to a SB 2042 preliminary credential holder.

The statute requires completion of induction to earn a professional clear credential. There are three ways that induction can be offered: by an employing school district, a consortium or a college or university. All three programs must meet the same standards and be approved by the Commission. An employing agency will verify if it does not offer induction either through that agency or a consortium. The Commission currently maintains a list of approved induction programs on its web site providing an employing agency with this information. A candidate who is employed where induction is not available will work with the employing agency to determine availability of induction. The proposed regulations include private schools as employing agencies, thus allowing them to determine if induction is available to the preliminary credential holder. Although not eligible for state funding, there is nothing in the induction standards that restricts private schools from seeking Commission approval for an induction program.

Following is the language that establishes completion of a Commission-approved induction program as the requirement for a professional clear credential, the bill reads:

(B) If an approved induction program is verified as unavailable to a beginning teacher, or if the beginning teacher is required under the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) to complete subject matter coursework to be qualified for a teaching assignment, the commission shall accept completion of an approved fifth-year program after completion of a baccalaureate degree at a regionally accredited institution as fulfilling the requirements of paragraph (2). The commission shall adopt regulations to implement this subparagraph.

This subsection raises the issue, who is a beginning teacher? The same section of the statute provides the beginning teacher definition. The statute reference 44259(c)(2) reads:

(2) Subject to the availability of funds in the annual Budget Act to provide statewide access to eligible beginning teachers, as defined in subdivision (d) of Section 44279.1 ...

Education Code section 44279.1(d) reads:

(d) For the purpose of this article, unless the context otherwise requires, "beginning teacher," means a teacher with a valid California credential, as defined in Section 44259, or an intern participating in the program established pursuant to Article 11 (commencing with Section 44380) of Chapter 2.5, who is serving in the first year or second year of service.

Based on the definition found in 44279.1(d), a beginning teacher is one who is serving in the first or second year of service. Program Element 6(b) of the Induction Standards states who is eligible for induction:

6(b) The program informs all candidates of their eligibility for induction. Eligible candidates include those new to the profession who are teaching on preliminary credentials, those teaching on preliminary credentials who were prepared out of state and have less than five years experience, and those teaching on intern credentials.

The proposed Title 5 regulations also include the requirement that a beginning teacher must be eligible for a Commission-approved induction program before an employing agency can determine if induction is unavailable. By clearly defining a beginning teacher as one who is eligible to participate in induction, a credential holder will know when they can begin to complete the professional clear credential requirements, either through a college or university induction program, one offered by the employing agency or a fifth year program if eligible.

Proposed Amendments to Title 5 Regulations

§80413(a)(4) The Reading Instruction Competence Assessment (RICA) was added to the regulations based on Education Code Section 44283.

§80413(a)(5) The proposed change to this subsection reflects action the Commission took at its November 2003 meeting requiring preliminary multiple subject teaching credential applicants to pass the subject matter examination if they enrolled in a multiple subject teacher preparation program after July 1, 2004.

§80413(a)(7) This subsection was added to reflect the computers in the classroom requirement in Education Code Section 44259(b)(7).

§80413(b)(2) This subsection has been added as required by AB 2210 (Liu, Statutes of 2004, Chapter 343). The proposed language requires the employing agency to determine if a teacher may complete a fifth year program based on unavailability of a Commission-approved Induction Program or a teacher must take course work to become No Child Left Behind "highly qualified" in the teacher's current assignment. The August 30, 2004 effective date is based on the date AB 2210 became effective.

§80413(b)(6) This subsection is being added to reflect the requirement as specified in Education Code Section 44259.5(e).

§80413(d)(1) The proposed language defines which employing agencies can determine which preliminary credential applicants may participate in a Commission-approved fifth year program. These employing agencies were included in the regulations because these are employment situations where a Commission-approved Induction Program may be offered.

Reports Relied Upon in Preparing Regulations

The Commission did not rely upon any technical, theoretical or empirical studies, reports or documents in proposing the adoption of these regulations amendments.

Documents Incorporated by Reference

None

Office of Administrative Law's Identification Number

The Office of Administrative Law's identification number for this proposal is Z-05-0211-01.

Written Comment Period and Submission of Written Comments

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail on the proposed action. The written comment period closes at 5:00 p.m. on April 12, 2005. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 327-3166; write to the California Commission on Teacher Credentialing, attention Dale Janssen, 1900 Capitol Avenue, Sacramento, CA 95814; or submit an e-mail at djanssen@ctc.ca.gov.

Any written comments received 21 days prior to the public hearing will be reproduced by the Commission's staff for each member of the Commission as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

Public Hearing

Oral comments on the proposed action will be taken at the public hearing. We would appreciate 14 days advance notice in order to schedule sufficient time on the agenda for all speakers. Please contact Dale Janssen at (916) 323-5065 regarding this.

Any person wishing to submit written comments at the public hearing may do so. It is requested, but not required, that persons submitting such comments provide fifty copies to be distributed to the Commission and interested members of the public. All written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

Modification of Proposed Action(s)

If the Commission proposes to modify the action(s) hereby proposed, the modifications (other than non-substantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

Availability of Final Statement of Reasons

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rulemaking package, after the public hearing. When it is available, it will be placed on the Commission's web site at <<http://www.ctc.ca.gov>> or you may obtain a copy by contacting Dale Janssen at (916) 323-5065.

Contact Person/Further Information

General or substantive inquiries concerning the proposed action may be directed to Dale Janssen at (916) 323-5065 or Dale Janssen, Commission on Teacher Credentialing, 1900 Capitol Ave. Sacramento, CA 95814. General question inquiries may also be directed to Debra Moss at (916) 322-4974 or at the address mentioned in the previous sentence. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. Also available upon request is a copy of the documents incorporated by reference. This information is also available on the Commission's web site at <<http://www.ctc.ca.gov>>. In addition, all the information on which this proposal is based is available for inspection and copying.

**Text of Proposed Amendments to Division VIII of Title 5 of the
California Code of Regulations**

§80413. Specific Requirements for Preliminary and Professional Clear Multiple and Single Subject Teaching Credentials for Applicants Prepared in California.

(a) The minimum requirements for the five-year preliminary multiple and single subject teaching credentials for California-prepared applicants shall include successful completion of all of the following:

(1) A baccalaureate degree or higher degree, except in professional education, from a regionally accredited institution of higher education.

(2) Passage of the California Basic Educational Skills Test (CBEST), as described in Education Code Section 44252, unless exempt by statutes or regulations.

~~(2) (3) A Commission-approved multiple subject or single subject program of professional preparation in multiple or single subject, as appropriate to the credential sought as described in Education Code Section 44259(b)(3).~~

~~(3) Subject-matter knowledge either by examination as specified in Education Code Sections 44280 and 44281 and described in Section 80071 of Title 5 Regulations; or by completion of a subject-matter program as provided for in Education Code Section 44310 and described in Sections 80085, 80085.1, 80086, 80087, 80088, and 80094 of Title 5 Regulations.~~

(4) Completion of a study of alternative methods of developing English language skills, including the study of reading, as provided in Education Code Section 44259(b)(4). In addition multiple subject applicants shall pass the reading instruction competence assessment as provided in Education Code Section 44283. The following (A), for all applicants, and (B), for multiple subject applicants specified in Education Code Section 44283.

~~(A) A study of alternative methods of developing English language skills, including the study of reading, as specified in Education Code Section 44259(b)(4); and~~

~~(B) The reading instruction competence assessment specified in Education Code Section 44283 upon adoption of the implementing regulations.~~

(5) Subject-matter knowledge:

(A) For a multiple subject credential, an applicant enrolled in a teacher preparation program prior to July 1, 2004 shall meet this requirement either by passage of an examination as provided in Education Code Sections 44280, 44281, and 44282 or by completion of a subject-matter program as provided in Education Code Section 44310. An applicant enrolled in a teacher preparation program on or after July 1, 2004 shall meet this requirement by passage of an examination as provided in Education Code Sections 44280, 44281 and 44282.

(B) For a single subject credential, an applicant shall meet this requirement either by passage of an examination as provided in Education Code Sections 44280, 44281, and 44282 or by completion of a subject-matter program as provided in Education Code Section 44310.

(6) Demonstration of knowledge of the Constitution of the United States requirement, as specified provided in Education Code Section 44335, by one of the means described in Section 80415 of Title 5 Regulations.

~~(6) The California Basic Educational Skills Test (CBEST), as described in Education Code 44252, unless exempt by statutes or regulations.~~

~~(7) Demonstration of basic competency in the use of computers in the classroom as provided in Education Code Section 44259(b)(7).~~

~~(8) The recommendation from a regionally accredited institution of higher education that has a Commission-approved program in the preliminary credential sought, as specified provided in Education Code Section 44227.~~

(b) The minimum requirements for the professional clear multiple or single subject teaching credentials must be completed within five years from the initial date of the issuance of the preliminary credential. The requirements include, ~~in addition to those cited above for the preliminary multiple or single subject teaching credential,~~ successful completion of all of the following:

~~(1) Possession of a valid preliminary teaching credential or certificate, or completion of equivalent requirements as determined by the Commission. A fifth year of study to be completed as specified in Education Code Section 44259(c)(4), by one of the means described in Section 80424 of Title 5 Regulations.~~

~~(2) Effective August 30, 2004, completion of a Commission-approved program of beginning teacher induction as specified in Education Code Section 44259(c)(2). If a beginning teacher is eligible for induction but an employing agency verifies that induction is not available or the employing agency verifies that the beginning teacher is required under the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) to complete subject matter course work to be qualified for a teaching assignment, the beginning teacher may complete a Commission-accredited fifth year program.~~

~~(3) A health education unit requirement, as specified provided in Education Code Section 44259(c)(91) (4)(A), by one of the means described in Section 80421 of Title 5 Regulations.~~

~~(3) (4) Special education training, as specified provided in Education Code Section 44259(c)(2) (4)(B), as described in Section 80032.2 of Title 5 Regulations.~~

~~(4) (5) Study of advanced computer-based technology, including the uses of technology in educational settings, as specified provided in Education Code Section 44259(c)(3) (4)(C), as described in Section 80422 of Title 5 Regulations.~~

~~(5) (6) Effective July 1, 2005 advanced study in the area of Teaching English Learners.~~

~~(7) An application for a professional clear multiple subject or single subject credential shall only be submitted by either (A) or (B) below:~~

~~(A) A Commission-approved induction program; or~~

~~(B) The recommendation from a A regionally accredited institution of higher education with a Commission-accredited fifth year. that has a Commission-approved program in the professional clear credential sought, as specified in Education Code Section 44227.~~

~~(c) All applicants for multiple subject and single subject professional clear credentials issued pursuant to Education Code Section 44259(c) with an issuance date on or after August 30, 2004 shall complete the requirements in subsection (b)(2) above.~~

~~(d) Definitions:~~

~~(1) The term “employing agency” as used in this section shall mean:~~

~~(A) Public school districts in California.~~

(B) County offices of education or county superintendents of schools in California.

(C) Schools that operate under the direction of a California state agency.

(D) Nonpublic, nonsectarian schools and agencies as defined in Education Code Sections 56365 and 56366.

(E) Charter Schools as defined in Education Code Section 47600.

(F) Private schools.

(2) A beginning teacher is one who is eligible to participate in a Commission-approved induction program.

NOTE

Authority cited: Section 44225, Education Code. Reference: Sections 44227, 44251, 44252, 44259, 44259.5, 44280, 44281, 44283, 44310 and 44335, Education Code.

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Attn.: Dale Janssen
CAW Division

Title: Specific Requirements for Preliminary and Professional Clear Multiple and Single Subject Teaching Credentials for Applicants Prepared in California
Section Nos.: 80413

Response to the Attached Title 5 Regulations

So that the Commission on Teacher Credentialing can more clearly estimate the general field response to the attached Title 5 regulations, please return this response form to the Commission, attention Dale Janssen, at the above address or fax to his attention at (916) 322-0048. Respond by 5:00 pm on April 12, 2005 in order that the material can be presented at the April 14, 2005 public hearing.

1. Yes, I agree with the proposed Title 5 regulations. Please count me in favor of these regulations.
2. No, I do not agree with the proposed Title 5 Regulations for the following reasons: (If additional space is needed, use the reverse side of this sheet.)
3. Personal opinion of the undersigned. and/or
4. Organizational opinion representing: _____
(Circle One) School District, County Schools, College, University, Professional Organization, Other
5. I shall be at the public hearing, place my name on the list for making a presentation to the Commission.
6. No, I will not make a presentation to the Commission at the public hearing.

Signature: _____ Date: _____

Printed Name: _____

Title: _____ Phone: _____

Employer/Organization: _____

Mailing Address: _____

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