

## COMMISSION ON TEACHER CREDENTIALING

1812 Ninth Street

Sacramento, California 95814-7000




(916) 445-0184

92-9208

DATE: May 26, 1992

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

FROM:   
Philip A. Fitch, Ed.D., Executive Secretary

SUBJECT: Proposed Amendment of Section 80048.2 of Title 5 of the California  
Code of Regulations Pertaining to Specific Requirements for  
Preliminary and Clear Specialist Instruction Credential in Special  
Education

**Notice of Public Hearing is Hereby Given:**

In accordance with Commission policy, proposed Title 5 Regulations are being distributed prior to the public hearing. The public hearing is scheduled on:

July 16, 1992  
1:30 p.m.  
Clarion Hotel  
700 16th Street  
Sacramento, California

**Statement of Reasons**

The Commission proposes the amendment of Section 80048.2 to authorize fully trained out-of-state special education teachers to teach in a special education classroom in California while completing the requirements for the prerequisite teaching credential, including the student teaching requirement, during the five year term of the Preliminary credential. The amendment would remove the sunset date of September 30, 1992.

The adoption of the Preliminary Specialist Credential in Special Education was an interim measure to address the severe shortage of special education teachers pending the completion of the Study of Competencies Needed By Beginning

Special Education Teachers (1991). The results of the study are being used to develop recommendations for the Commission to consider possible changes in the current credentialing structure for special education personnel in California.

The Collaborative Task Force to Restructure Special Education Credentials is currently considering the Special Education Advisory Committee recommendations, information contained in the final technical report of the competency study, current research in special education, the needs of the increasingly diverse California school population, current special education service delivery models in place across the state, legislative mandates, and other related educational initiatives. It is anticipated that recommendations will be forwarded to the Commission by July 1992.

These proposed regulations would assist school districts and county offices in recruiting qualified special education teachers from out-of-state who meet the minimum qualifications to teach special education students while requiring completion of the basic teaching credential within five years. Data shows that a significant number of out-of-state teachers continue to be employed using the Preliminary Specialist Instruction Credential route. From July 1991 through March 1992, a total of 353 Preliminary Specialist Credentials have been granted.

Following Commission approval of recommendations for possible changes in the special education credentialing structure, a number of activities will be required before any potential changes would become effective. The Commission will need to authorize possible Education Code changes, initiate the Title 5 rulemaking process, including public hearings, and develop standards of program quality and effectiveness to replace special education guidelines currently in use. A law change generally takes one to two years. Title 5 changes involving public hearings require approximately one year, and advisory panels usually need a year to develop and recommend a set of standards to the Commission. Institutions of higher education then need one to two years to transition preparation programs to the new standards adopted by the Commission.

Without the availability of the Preliminary credential, out-of-state special education teachers are issued an Emergency Credential until they are able to complete the requirements for the prerequisite elementary or secondary credential. These fully trained teachers would help personnel administrators who are unable to hire sufficient numbers of qualified candidates within California, and may be found out of compliance with California Master Plan for Special Education and Federal statutes which mandate a free, appropriate public education for individuals with handicaps.

Employing school districts and county offices may even apply for waivers from the State Superintendent of Public Instruction for a teacher who may have no background in special education and may be someone from a substitute teacher list who has only a baccalaureate degree and no preparation in teaching at all.

The number of special education waivers has increased dramatically since 1984-85 and a reverse in the trend seems unlikely. Waivers have no renewal requirements nor do they encourage holders to move toward completion of a clear California credential. The Preliminary Specialist credential helps to fulfill the employer's need for special education teachers and obviates the need for so many waivers.

### **Reports Relied Upon in Preparing Regulations**

Commission on Teacher Credentialing (May 1992). Agenda item and Minutes from Licensing Committee. Proposed Amendment to Title 5 Regulations Pertaining to the Preliminary and Clear Specialist Instruction Credential in Special Education.

Commission on Teacher Credentialing (1991). A Study of Competencies Needed By Beginning Special Education Teachers. State of California.

Commission on Teacher Credentialing (1991). A Report on Teacher Supply: Enrollments in Professional Programs During 1989-1990.

Commission on Teacher Credentialing (1991). A Study of Competencies Needed by Beginning Special Education Teachers. State of California.

Ad Hoc Committee on Special Education Personnel Availability (January 1990). A Special Report on Special Education Personnel Preparation and Credentialing for the 1990s.

Commission Data on Numbers of Emergency Special Education Specialist Credentials Granted During 1990-92.

California Department of Education Data on State Board of Education Special Education Waivers Issued During the 1991-92 school year.

Letters to the Commission Requesting Extension of the Preliminary Specialist regulation.

### **Submission of Written Comments**

A response form is attached for your use in submitting written comments to the Commission's offices at 1812 9th Street, Sacramento, CA 95814-7000, at least one day prior to the date of the public hearing.

### **Written Comment Period**

Any interested person, or his or her authorized representative, may submit written comments on the proposed action. The written comment period closes at 5:00 p.m. on July 13, 1992.

Any written comments received 14 days prior to the public hearing will be reproduced by the Commission's staff for each Commissioner 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. You may call Dr. Philip A. Fitch at (916) 445-0184.

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 twenty-five copies. All written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

### **Modification of Proposed Action**

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

### **Contact Person/Further Information**

Inquiries concerning the proposed action may be directed to Dr. Marie Schrup at (916)327-2966. 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. In addition, all the information upon which this proposal is based is available for inspection and copying.

### **Attachments**

PROPOSED AMENDMENT OF SECTION 80048.2  
TITLE 5, CALIFORNIA CODE OF REGULATIONS

SPECIFIC REQUIREMENTS FOR  
PRELIMINARY AND CLEAR SPECIALIST INSTRUCTION CREDENTIAL  
IN SPECIAL EDUCATION

Section 80048.2. Specific Requirements for Preliminary and Clear Specialist Instruction Credential in Special Education.

(a) The minimum requirements for the preliminary Specialist Instruction Credential in Special Education shall include all of the following:

(1) A baccalaureate or higher degree from a regionally accredited institution of postsecondary education;

(2) The completion of a professional preparation program in a special education specialist category comparable to a Commission-approved program, but taken outside of California and approved by the appropriate agency in the state where the coursework was completed;

(3) Passage of the California Basic Education Skills Test described in Education Code Section 44252;

(4) Written verification by the employing school district of how the applicant's progress toward completion of the requirements for the basic teaching credential will be monitored, and the employing district's plan to facilitate the applicant's completion of the student teaching requirements.

(b) The minimum requirements for the clear Specialist Instruction Credential in Special Education shall include all of the following:

(1) A baccalaureate or higher degree from a regionally accredited institution of postsecondary education;

(2) The completion of a Commission-approved professional preparation program in one or more special education category or completion of a professional preparation program in one or more special education category comparable to a Commission-approved program, but taken outside of California and approved by the appropriate agency in the state where the coursework was completed.

(3) Possession of a California teaching credential which authorizes service in a non-special education classroom issued on the basis of at least a baccalaureate degree and a program of professional preparation including student teaching.

(c) The period of validity of the preliminary Specialist Instruction Credential in Special Education is five years. The preliminary credential may not be renewed. ~~The provisions of subsections (a)(1) through (5) will sunset on September 30, 1992.~~

(d) The period of validity of the clear Specialist Instruction Credential in Special Education is dependent upon the period of validity of the prerequisite teaching credential, or five years, if the prerequisite teaching credential is valid for life.

(e) Authorization. The preliminary or clear Specialist Instruction Credential in Special Education authorizes the holder to teach in the special education specialist category named on the credential and as specified in Section 80046.5 and 80047 through 80047.9.

Note: Authority Cited: Section 44225, Education Code. Reference: Sections 44225 and 44265, Education Code.

## COMMISSION ON TEACHER CREDENTIALING

812 Ninth Street  
Sacramento, California 95814-7000



Attn: Philip A. Fitch, Ed.D.  
Executive Secretary

**Title: Preliminary and Clear Specialist Instruction Credential in Special  
Education, Section 80048.2**

**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 which are coming up for public hearing, please return this response form to the Commission Office at the above address by July 13, 1992 in order that the material can be presented at the July 16 Commission meeting.

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 only.
4.  Organizational opinion of the undersigned only.
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.

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Representing: \_\_\_\_\_

(Circle One) School District, College, University, Professional Organization,  
Private Citizen, Other