



CODED CORRESPONDENCE

DATE: October 25, 2013	NUMBER: 13-10
TO: All Individuals and Groups Interested in the Activities of the Commission on Teacher Credentialing	FROM: Mary Vixie Sandy Executive Director Commission on Teacher Credentialing
SUBJECT: Proposed Addition to Title 5 of the California Code of Regulations Pertaining to Cost Recovery Fees for Accreditation Activities	

Notice of Public Hearing is Hereby Given

The Commission on Teacher Credentialing (Commission) proposes to take the regulatory action described below after considering all comments, objections, and recommendations regarding the proposed action. A copy of the proposed regulations is attached with the added text underlined.

A public hearing on the proposed actions will be held:

**December 13, 2013
8:30 a.m.
Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, California 95811**

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail relevant to the proposed action. The written comment period closes at 5:00 p.m. on December 9, 2013. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 322-0048; write to the Commission on Teacher Credentialing, attn. Tammy A. Duggan, 1900 Capitol Avenue, Sacramento, California 95811; or submit an email at tduggan@ctc.ca.gov.

Any written comments received 15 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.

Authority and Reference

Education Code (EC) section 44225 authorizes the Commission to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific EC section 44374.5 that authorizes the Commission to implement a cost recovery plan for specified accreditation activities.

Informative Digest/Policy Statement Overview

Summary of Existing Laws and Regulations

Assembly Bill (AB) 86 (Chap. 48, Stats. 2013) added EC section 44374.5 and authorizes the Commission to develop and implement a cost recovery plan for specified accreditation activities. The purpose of the proposed cost recovery fees are to implement a cost sharing plan for the specified accreditation activities.

AB 110 (Chap. 20, Stats. 2013) assumes up to \$200,000 in funds [reference 6360-001-0407(8)] from the implementation of a cost recovery plan for initial institutional and new program review and accreditation activities in excess of the regularly scheduled data reports, program assessments, and accreditation site visits.

The purpose of the accreditation system is to ensure the quality of California educators. The Commission's accreditation system is the only quality control mechanism the state has over educator preparation programs and helps ensure the integrity of the credentials issued by the agency (reference EC sections 44370 and 44371). Failure by the Commission to perform its statutorily-mandated duties could result in the certification and placement of unqualified teachers in California's public schools.

The Commission's accreditation activities have historically been supported through credential fees paid by candidates. However, as a result of revenue reductions associated with declines in the number of credential candidates, increases in the number of programs that require accreditation, and increased travel expenses related to airfare, lodging, and per diem compensation for staff and volunteers, credential fees no longer fully support the Commission's accreditation activities.

The proposed accreditation fees for the following activities that require reviewer travel have been set at \$500 per day per reviewer on the basis of historical and projected travel costs: initial institutional approval, initial program review, focused site visits, program assessment requiring more than three reviews, full program review during site visits, and site revisits.

The proposed flat fees associated with reports addressing stipulations (with or without a site revisit) are based on the amount of staff time, and in some cases reviewer time, required to consult with the institution, gather additional information, prepare an agenda item(s) for the Committee on Accreditation (COA), and to facilitate a COA meeting(s).

The proposed flat fee of \$500 associated with late reviews of program assessments and/or biennial reports is to recover the Commission's additional incurred expenses to reschedule reviews, recruit additional reviewers, and facilitate additional review events.

Additional information regarding the proposed cost recovery fees is available in the August 2013 Commission Agenda Item 3D beginning on page PSC 3D-2 at <http://www.ctc.ca.gov/commission/agendas/2013-08/2013-08-3D.pdf> and historical information for past accreditation activity expenses is available in Appendix A of the September 2013 Commission Agenda Item 4A at <http://www.ctc.ca.gov/commission/agendas/2013-09/2013-09-4A.pdf>.

Summary of Proposed Cost Recovery Fees

Beyond Standard Accreditation Cycle Activities Education Code §44374.5	Cost Recovery
Initial Institutional Approval	\$2,000
Initial Program Review 12 or more standards	\$2,000
Initial Program Review 6-11 standards	\$1,500
Initial Program Review fewer than 6 standards	\$1,000
Beyond Regularly Scheduled Accreditation Activities	Cost Recovery
Focused Site Visit	<i>\$1,000 per individual attending visit</i>
Late Document Reviews	<i>\$500 per program</i>
Program Assessment Requiring More than 3 Reviews	\$1,000
Full Program Review during Site Visit as a result of not completing program assessment process	<i>\$3,000 per program</i>
Site Revisit	<i>\$1000 per individual attending visit</i>
Reports Addressing Stipulations (no revisit required)	\$500
Reports Addressing Stipulations (revisit required)	\$1000

The accreditation activities associated with new institutional and program approval, as well as the specified extraordinary accreditation activities, strain the Commission’s budget. In the 2012-13 fiscal year, the Commission suspended all scheduled site visits due to the redirection of funds to cover the costs associated with new institutional/program approval and the specified extraordinary accreditation activities. The purpose of the proposed regulations is to ensure that the Commission has the monetary means to perform its statutorily-mandated accreditation duties by allowing the recovery of costs associated with new institutional/program approval and extraordinary accreditation activities pursuant to EC section 44374.5.

Reviewing Initial or New Educator Preparation Programs [EC §44374.5(a)]

Initial Institutional Approval

Initial Institutional Approval is the process that must be completed by an institution that has not previously been authorized by the Commission to offer educator programs in California. This is a lengthy process that requires review of Commission-adopted preconditions, program standards, and common standards. Additionally, because the institution is new to the process, multiple reviews and resubmissions are often required. These approvals are less frequent in occurrence than other document reviews; however, they require considerable time for reviewers.

Initial Program Review

Initial program reviews are initiated in two ways: 1) an approved institution intends to offer a new program and submits a program proposal for review; and 2) the Commission revises



program standards to such a significant degree that institutions are required to rewrite a program proposal and submit it for initial program review. Staff will include a discussion of costs when presenting proposed program standards revisions to the Commission for approval at a regularly scheduled public meeting. The Commission will determine, after considering all comments, objections, and recommendations, whether programs will be required to submit the new program for initial program review and bear the associated costs or if submission of a no-fee transition plan will suffice.

Accreditation Activities in Excess of the Regularly Scheduled Data Reports, Program Assessments, and Accreditation Site Visits [EC §44374.5(b)]

Focused Site Visit

The Commission's accreditation system allows the COA, as defined in EC section 44373, to call for a focused site visit when the institution is not complying with the accreditation system activities or if there are concerns expressed about a program or institution.

Late Document Reviews

Institutions are required to submit Biennial Report documents to the Commission that include two years of assessment data being used to ensure that candidates are developing, and completers have acquired, the appropriate skills and knowledge to prepare them to be professional educators. Institutions are required to submit Program Assessment documents to the Commission in Year Four of the accreditation cycle to assist the institution in preparing for the site visit in Year Six as well as providing information to the site visit team. The Commission incurs additional costs when reviewing documents that are submitted past an established due date, including costs associated with rescheduling reviews, recruiting additional reviewers, and holding additional review events.

Program Assessments Requiring More Than Three Reviews

Program assessment occurs in Year Four of the accreditation cycle. This is a review of all programs offered by an institution. Program assessment is used to assist the institution in preparing for the site visit in Year Six as well as providing information to the site visit team. Two Board of Institutional Review (BIR) members review the program assessment documents in a protected environment facilitated by Commission staff to determine if the programs are preliminarily aligned with the program standards. If the reviewers cannot determine that the response is aligned to the standards, the institution resubmits documents with additional information. More than three reviews of a program assessment are considered extraordinary and are beyond the normal accreditation activities. Program assessment documents that require numerous reviews require redirection of staff time as well as travel costs related to the reconvening of BIR members to perform the additional reviews.

Full Program Review During Site Visit

Program assessment documents are due to the Commission two years prior to the scheduled site visit. When an institution does not complete the program assessment process six months prior to the site visit, and when completion of that activity is due to the fact that the documents were significantly late, the document will not be read as a program assessment document, but will be reviewed as part of the site visit responsibilities. The costs for two additional BIR members to

perform a full review of the document during the site visit will be the responsibility of the institution upon approval of the proposed regulations.

Site Revisit

The purpose of a site revisit is to allow an institution that received stipulations from the COA following an accreditation site visit the opportunity to demonstrate to a review team that it has modified its practices or corrected its deficiencies. Site revisits generally require a two-day visit of a smaller team within one year of the original site visit. The site revisit team always includes a team lead, which in most cases is the same team lead as the original visit, and a Commission consultant. The number of reviewers depends upon the number and complexity of issues identified, but generally includes at least one reviewer in addition to the team lead.

Reports Addressing Stipulations

An institution granted “Accreditation with Stipulations” by the COA must complete a seventh year report as part of the accreditation review process. The report should address the action taken by the institution to address any stipulations as well as the standards determined by the review team to be “not met” or “met with concerns.” At the time “Accreditation with Stipulations” is granted, the COA will indicate whether the process for removal of the stipulations requires a site revisit.

If no site revisit is required, the consultant, and in some cases the team lead, will review the responses provided in the seventh year report provided by the institution. The consultant and, if appropriate, the team lead will prepare a report with recommendations for COA consideration in determining whether the stipulations can be removed.

If a site revisit is required by the COA, the seventh year report will be provided to the review team to help with the assessment of the institution’s progress toward addressing the stipulations. Upon the conclusion of the site revisit, a report with recommendations will be prepared for COA consideration in determining whether the stipulations can be removed.

The review of reports addressing stipulations, with or without a site revisit, requires redirection of staff time.

Objectives and Anticipated Benefits of the Proposed Regulations

The objectives of the proposed regulations amendments are to establish fees that will allow the Commission to recover costs incurred for initial institutional and new program review and accreditation activities in excess of the regularly scheduled data reports, program assessments, and accreditation site visits.

The Commission anticipates that the proposed amendments will benefit the welfare of students attending public schools in the State of California by providing the monetary means to perform its statutorily-mandated accreditation duties, thereby ensuring high quality educator preparation for the instruction of California public school pupils.

The proposed regulations will promote fairness and prevent discrimination by specifying that the cost recovery fees apply to all institutions offering Commission-approved programs, regardless of agency type. The proposed regulations will also increase openness and transparency in government by clarifying the cost recovery fees associated with initial institutional and new program review and accreditation activities in excess of the regularly scheduled data reports, program assessments, and accreditation site visits. The Commission does not anticipate that the proposed regulations will result in the protection of public health and safety, worker safety, or the environment, the prevention of social inequity or an increase in openness and transparency in business.

The following table provides the anticipated costs and resulting recovery for the 2013-14 fiscal year. It is important to note that because site visits were suspended during the 2012-13 school year, site revisits and programs addressing stipulations are at a minimum.

Budget Illustration for Fiscal Year 2013-14

Accreditation Activity	Justification	2013-14 Projected Total Expense
Revisits	2 institutions bearing full cost of revisit	0*
Reports addressing Stipulations with Site Revisit	0 institutions @ \$1000 each	0
Reports addressing Stipulations without Site Revisit	2 institutions @ \$500 each	1,000
Program Assessment beyond the Norm	15 programs @ \$2,000 per institution	30,000
Initial Institutional Approval	3 institutions @ \$2,000 per institution 27 programs @ 2,000 each	6,000
Initial Program Review	13 programs @ \$1,500 each 15 programs @ \$1,000 each	88,500
Focused Site Visit	0 institutions bearing full cost of visit	0*
Late Reviews	45 programs @ \$500 per program	22,500
Total		\$148,000*

*If institutions require site revisits and/or focused site visits in the 2013-14 fiscal year, the Commission anticipates an additional potential expense and potential recovery of \$10,000 not captured in totals.

Determination of Inconsistency/Incompatibility with Existing State Regulations

The Commission has determined that the proposed regulation amendments are not inconsistent or incompatible with existing regulations. There are no other 5 CCR sections that specify cost recovery fees for accreditation activities associated with Commission-approved programs.



Summary of Proposed Amendments to Regulations

Subarticle 3.

Proposed new subarticle to Chapter 5, Article 3 of Title 5 of the CCR in order to clarify, interpret, and make specific the professional preparation program approval and accreditation cost recovery fees per EC section 44374.5 added as a result of Assembly Bill 86 (Chap. 48, Stats. 2013).

§80691 and Introduction: Proposed new section to provide definitions for the terms associated with the cost recovery fees for program approval and accreditation.

(a): Proposed language provides the definition for a “Board of Institutional Review member” and incorporates by reference Chapter Eleven of the *Accreditation Handbook*.

(b): Proposed language provides the definition for a “focused site visit” and incorporates by reference Chapter Four of the *Accreditation Handbook*.

(c): Proposed language provides the definition for “initial institutional approval” and incorporates by reference Chapter Three of the *Accreditation Handbook*.

(d): Proposed language provides the definition for “initial program review” and includes a reference to Chapter Three of the *Accreditation Handbook*.

(e): Proposed language provides the definition for “institution” as related to the types of organizations that are authorized to seek professional preparation program approval and accreditation pursuant to EC section 44373.

(e)(1) through (e)(5): Proposed new subsections list the type of institutions, as defined in subsection (e), that are authorized to seek initial institutional approval.

(f): Proposed language provides the definition for “late review” as related to the submission of biennial reports and/or program assessments, incorporates by reference Chapter Five and Chapter Six of the *Accreditation Handbook*, and includes a reference to Chapter Four of the *Accreditation Handbook*.

(g): Proposed language provides the definition for “program assessment” and includes a reference Chapter Six of the *Accreditation Handbook*.

(h): Proposed language provides the definition for “professional preparation program.”

(i): Proposed language provides the definition for “site revisit” and incorporates by reference Chapter Fifteen of the *Accreditation Handbook*.

(j): Proposed language provides the definition for “site visit” and includes a reference to Chapter Four of the *Accreditation Handbook*.

(k): Proposed language provides the definition for “standard accreditation cycle” and includes a reference to Chapter Four of the *Accreditation Handbook*.

(l): Proposed language provides the definition for “stipulations” and incorporates by reference Chapter Eight of the *Accreditation Handbook*.

Note: Cites the relevant Education Code authority and references for the proposed addition of 5 CCR section 80691.

§80692 and Introduction: Proposed new section to clarify the cost recovery fees as established by the Commission that must be submitted by a professional preparation program for the program approval and accreditation activities specified.

(a): Proposed new subsection to establish the cost recovery fees for document review beyond the Standard Accreditation Cycle, as defined in section 80691(k) and includes language specifying when the fees must be submitted to the Commission [reference EC section 44374.5(a)].

(a)(1): Initial Institutional Approval is the process that must be completed by an institution that has not previously been authorized by the Commission to offer educator programs in California. This is a lengthy process that requires review of Commission-adopted preconditions, program standards, and common standards. Additionally, because the institution is new to the process, multiple reviews and resubmissions are often required. These approvals are less frequent in occurrence than other document reviews; however, they require considerable time for reviewers.

The most efficient manner to review documents includes bringing reviewers to the Commission offices for dedicated time in assigned pairs to review documents in their expertise area, ideally for a period of two days. The proposed cost recovery fee of \$2,000 is to cover the travel costs of two reviewers for two days (two reviewers X two days @ \$500/day = \$2,000). The proposed language establishes the cost recovery fee for initial institutional approval as defined in section 80691(c).

(a)(2): Initial program reviews are initiated in two ways: 1) an approved institution intends to offer a new program and submits a program proposal for review; 2) the Commission revises standards to such a significant degree that institutions are required to rewrite the program and submit it for initial program review. Staff will include a discussion of costs when presenting proposed program standards revisions to the Commission for approval at a regularly scheduled public meeting. The Commission will determine, after considering all comments, objections, and recommendations, whether programs will be required to submit the new program for initial program review and bear the associated costs or if submission of a no-fee transition plan will suffice.

Teams of two Board of Institutional Review members review program documents in a protected environment with Commission staff facilitation to determine if a program is aligned with the standards or if more information is needed. The program documents are resubmitted until all standards are aligned. This process often requires multiple submissions and reviews. The most

efficient manner to review documents includes bringing reviewers to the Commission offices for dedicated time in assigned pairs to review documents in their expertise area.

The time and expense of initial program review is largely dependent upon the type of program being reviewed. There are three categories that programs fall under. The first, and most comprehensive are preliminary programs, which include 12 or more standards. Second tier or “clear” programs have 6-11 standards and require less time for review. Added authorization programs are much less complex with 5 or fewer standards to review. The proposed cost recovery fees for initial program review are scaled depending on the number of included program standards and do not include staff time or travel expenses.

The proposed language prefaces the subsections that will establish the cost recovery fees for initial program review as defined in section 80691(d) depending on the number of required standards to be addressed.

(a)(2)(A): Proposed language establishes the flat fee for the initial program review of a professional preparation program that addresses twelve or more standards to recover the travel costs for two reviewers for two days (two reviewers X two days @ \$500 per day = \$2,000). Preliminary credential programs typically include twelve or more standards [reference 5 CCR section 80054(a)(2) pertaining to Preliminary Administrative Services Credentials].

(a)(2)(B): Proposed language establishes the flat fee for the initial program review of a professional preparation program that addresses six to eleven standards to recover the costs for two reviewers for 1 ½ days (two reviewers X 1 ½ days @ \$500 per day = \$1,500). Less time will be required for the two reviewers to review a program with six to eleven standards than will be required to review a program with twelve or more standards, hence the reduced cost recovery fee from the fee proposed in subsection (a)(2)(A). Clear credential programs typically include between six and eleven standards [reference 5 CCR section 80054(d)(3) pertaining to Clear Administrative Services Credentials].

(a)(2)(C): Proposed language establishes the flat fee for the initial program review of a professional preparation program that addresses fewer than six standards to recover the costs for two reviewers for one day (two reviewers X one day @ \$500 per day = \$1,000). Less time will be required for the two reviewers to review a program with less than six standards than will be required to review a program with six to eleven standards, hence the reduced cost recovery fee from the fee proposed in subsection (a)(2)(B). Added authorization and certificate programs typically include fewer than six standards [reference 5 CCR section 80069.2(a)(3) pertaining to the Mathematics Instructional Added Authorization].

(a)(2)(D): Proposed language clarifies the circumstances under which a professional preparation program may be exempted from the fees associated with initial program review by providing an in-kind contribution of reviewers, including assuming the associated travel costs. Exemption from the costs associated with initial program review is a win-win situation, in that the program will not be required to pay the cost recovery fees and the number of available Board of Institutional members will be increased.

(b): Proposed new subsection to establish the cost recovery fees for accreditation activities in excess of the regularly scheduled data reports, program assessments, and accreditation site visits and includes language specifying when the fees must be submitted to the Commission [reference EC section 44374.5(b)].

(b)(1): The Commission’s accreditation system allows the COA, as defined in EC section 44373, to call for a focused site visit when the institution is not complying with the accreditation system activities or if there are concerns expressed about a program or institution. No focused site visits outside of the accreditation cycle have taken place in recent years. Focused site visits generally require a two-day visit and the number of individuals on the team will depend upon the number and complexity of issues identified. Focused site visit teams always include a team lead and a Commission consultant, and typically at least one reviewer. Institutions will bear all travel costs associated with a focused site visit (two days X \$500/day X number of individuals on the focused site visit team). The proposed language establishes the cost recovery fee for focused site visits as defined in section 80691(b).

(b)(2): Institutions are required to submit Biennial Report documents to the Commission that include two years of assessment data being used to ensure that candidates are developing, and completers have acquired, the appropriate skills and knowledge to prepare them to be professional educators. Institutions are required to submit Program Assessment documents to the Commission in Year Four of the accreditation cycle to assist the institution in preparing for the site visit in Year Six as well as providing information to the site visit team. Approximately 45 program assessment and/or biennial reports are submitted late each year. The Commission incurs additional costs when reviewing documents that are submitted past an established due date, including costs associated with rescheduling reviews, recruiting additional reviewers, and holding additional review events. A flat fee of \$500 for late document reviews is proposed to recover these additional incurred expenses. The proposed language establishes the cost recovery fee for late reviews as defined in section 80691(f).

(b)(3): Program assessment occurs in Year Four of the accreditation cycle. This is a review of all programs offered by an institution. Program assessment is used to assist the institution in preparing for the site visit in Year Six as well as providing information to the site visit team. Two Board of Institutional Review members review the program assessment documents in a protected environment facilitated by Commission staff to determine if the programs are preliminarily aligned with the program standards. Program assessment documents that require numerous reviews require redirection of staff time as well as travel costs related to the reconvening of Board of Institutional Review members to perform the additional reviews. The proposed language prefaces the subsections that establish the cost recovery fees for extraordinary activities associated with program assessments as defined in section 80691(g).

(b)(3)(A): When reviewers cannot determine that the program assessment response is aligned to the standards, the institution resubmits documents with additional information. A program assessment that requires more than three reviews is considered “extraordinary” and necessitates redirection of staff time as well as travel costs related to the reconvening of reviewers. A flat fee of \$1,000 is proposed to recover the travel costs for two reviewers for one day (two reviewers X

1 day @ \$500 per day). The proposed language establishes the cost recovery fee for program assessments that require more than three reviews.

(b)(3)(B): Program assessment documents are due to the Commission two years prior to the scheduled site visit. When an institution does not complete the program assessment process six months prior to the site visit, and when completion of that activity is due to the fact that the documents were significantly late, the document will not be read as a program assessment document, but will be reviewed as part of the site visit responsibilities. The fee of \$3,000 is proposed to recover the costs for two additional Board of Institutional Review members to attend a site visit for three days in order to perform a program review when the professional preparation program does not complete the program assessment process six months prior to the scheduled site visit (two reviewers X three days @ \$500 per day).

(b)(4): An institution granted “Accreditation with Stipulations” by the COA must complete a seventh year report as part of the accreditation review process. The report should address the action taken by the institution to address any stipulations as well as the standards determined by the review team to be “not met” or “met with concerns.” At the time “Accreditation with Stipulations” is granted, the COA will indicate whether the process for removal of the stipulations requires a site revisit. The proposed language prefaces the subsections that establish the cost recovery fees for a professional preparation program operating with stipulations as defined in section 80691(l).

(b)(4)(A): The purpose of a site revisit is to allow an institution that received stipulations from the COA following an accreditation site visit the opportunity to demonstrate to a review team that it has modified its practices or corrected its deficiencies. Site revisits generally require a two-day visit of a smaller team within one year of the original site visit. The number of reviewers depends upon the number and complexity of issues identified, but a site revisit team always includes a team lead and a Commission consultant, and typically at least one reviewer. Institutions will bear all travel costs associated with a site revisit (two days X \$500 per day X number of individuals on the site revisit team). The proposed language establishes the cost recovery fee for a site revisit as defined in section 80691(i).

(b)(4)(B): If the COA determines that a site revisit is not required at the time “Accreditation with Stipulations” is granted, a Commission consultant and, in some cases the team lead, will review the responses provided in the seventh year report provided by the institution. The Commission consultant and, if appropriate, the team lead will prepare a report with recommendations for COA consideration in determining whether the stipulations can be removed. The flat fee of \$500 for review of a report due to stipulations that does not require a site revisit is proposed to recover the costs of staff time required to consult with the institution, gather additional information, prepare an agenda item for the COA, and to facilitate a COA meeting. Also incorporates by reference Chapter Nine of the *Accreditation Handbook* which details the activities associated with accreditation stipulations.

(b)(4)(C): If the COA determines that a site revisit is required at the time “Accreditation with Stipulations” is granted, the seventh year report will be provided to the review team to help with

the assessment of the institution's progress toward addressing the stipulations. Upon the conclusion of the site revisit, a report with recommendations will be prepared for COA consideration in determining whether the stipulations can be removed. The fee of \$1,000 for review of a report due to stipulations that does require a site visit is proposed to recover the costs of staff and review team time required to consult with the institution and gather additional information before and after the site revisit, prepare agenda items for the COA, and to facilitate COA meetings. Also references Chapter Nine of the *Accreditation Handbook* which details the activities associated with accreditation stipulations.

Note: Cites the relevant Education Code authority and references for the proposed addition of 5 CCR section 80692.

Documents Incorporated by Reference:

Accreditation Handbook Chapter Three, Institutional and Program Approval (rev. 2012):

<http://www.ctc.ca.gov/educator-prep/accred-handbook/AH-Chapter-03.pdf>

Accreditation Handbook Chapter Four, The Accreditation Cycle (rev. 2012):

<http://www.ctc.ca.gov/educator-prep/accred-handbook/AH-Chapter-04.pdf>

Accreditation Handbook Chapter Five, Biennial Reports (rev. 2012):

<http://www.ctc.ca.gov/educator-prep/accred-handbook/AH-Chapter-05.pdf>

Accreditation Handbook Chapter Six, Program Assessment (rev. 2012):

<http://www.ctc.ca.gov/educator-prep/accred-handbook/AH-Chapter-06.pdf>

Accreditation Handbook Chapter Eight, Accreditation Decisions: Options and Implications (rev. 2012): <http://www.ctc.ca.gov/educator-prep/accred-handbook/AH-Chapter-08.pdf>

Accreditation Handbook Chapter Nine, Activities during the Seventh Year of the Accreditation Cycle (rev. 2012): <http://www.ctc.ca.gov/educator-prep/accred-handbook/AH-Chapter-09.pdf>

Accreditation Handbook Chapter Eleven, Board of Institutional Review Member Skills and Competencies (rev. 2012):

<http://www.ctc.ca.gov/educator-prep/accred-handbook/AH-Chapter-11.pdf>

Accreditation Handbook Chapter Fifteen, The Accreditation Revisit (rev. 2012):

<http://www.ctc.ca.gov/educator-prep/accred-handbook/AH-Chapter-15.pdf>

Documents Relied Upon in Preparing Regulations:

August 2013 Commission Agenda Item 3D:

<http://www.ctc.ca.gov/commission/agendas/2013-08/2013-08-3D.pdf>

September 2013 Commission Agenda Item 4A:

<http://www.ctc.ca.gov/commission/agendas/2013-09/2013-09-4A.pdf>

Disclosures Regarding the Proposed Actions

The Commission has made the following initial determinations:

Mandate to local agencies or school districts: None.

Other non-discretionary costs or savings imposed upon local agencies: None.

Cost or savings to any state agency: Costs of \$0 to approximately \$7,000 every seven-year accreditation cycle per institution with document review or extraordinary accreditation activities.

The Commission implements a seven-year accreditation cycle that includes three major components: 1) program assessment, 2) biennial reports, and 3) site visits. In addition, Initial Institutional Approval and Initial Program Approval are accreditation functions associated with new programs and new institutions. Costs are primarily incurred for components of the accreditation system that require the use of experts from the field to determine if the documentation provided by institutions regarding the quality of their program's operations, faculty, and services for candidates are aligned to the requirements of the Commission's adopted standards. Expenses include reimbursement for the travel of volunteers and staff who review documents and participate in approximately 40 educator preparation program and institution site visits per year. This results in a projected outlay of \$415,000 for site visits, including pre-visits and revisits, in 2013-14 and \$271,000 for document review activities. The 2013-14 Budget Act authorizes the Commission to recover up to \$200,000 of these overall costs for activities other than regularly scheduled reviews.

Costs associated with accreditation activities vary depending on the scope of review required and the number of reviewers needed to accomplish the activity. There are currently 23 California State Universities (CSU) offering approximately 12 programs per entity (276 CSU programs) and 8 Universities of California (UC) offering approximately 7 programs per entity (56 UC programs) for a total of approximately 332 programs. There are also currently 59 private institutions of higher education offering approximately 8 programs per entity (472 programs) and 169 school districts and county offices of education offering approximately two programs per entity for a total of approximately 338 programs.

Provided below are estimates of the total yearly cost recovery fees by each institution type:

CSUs: 276 programs/1142 total programs = 24% x \$200,000 = \$48,000

UCs: 56 programs/1142 total programs = 5% x \$200,000 = \$10,000

Private Institutions: 472 programs/1142 total programs = 41% x \$200,000 = \$82,000

School Districts and County Offices: 338 programs/1142 total programs = 30% x \$200,000 = \$60,000

CSUs, UCs, private institutions, school districts, and county offices of education are not required by statute or regulations to offer Commission-approved programs. Further, the cost recovery fees are not intended to be punitive in nature. The fees are proposed as a means for the Commission to recover incurred costs associated with initial institutional or new program review and extraordinary accreditation activities as provided in EC section 44374.5.

Program sponsors may offset the costs associated with initial program review by providing Board of Institutional Review members [reference 5 CCR section 80692(a)(2)(D)]. In addition, program sponsors may avoid the proposed cost recovery fees associated with the extraordinary accreditation activities by successfully completing all scheduled accreditation activities on time. The Commission will not need to recover costs if no costs are incurred.

Cost or savings in federal funding to the state: None.

Significant effect on housing costs: None.

Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states: None.

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with section 17500) of the Government Code.

Cost impacts on a representative private person or business: There are currently 59 private colleges and universities offering approximately eight programs per institution for a total of approximately 472 programs. The Commission anticipates yearly costs of \$82,000 at a rate of \$0 to approximately \$7,000 every seven-year accreditation cycle per private college or university. Refer to the *Cost or savings to any state agency* section on page 9 for additional information.

The Commission is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action.

Statement of the Results of the Economic Impact Assessment [Govt. Code § 11346.5(a)(10)]: The Commission concludes that it is (1) unlikely that the proposal will create any jobs within the State of California; 2) unlikely that the proposal will eliminate any jobs within the State of California; 3) unlikely that the proposal will create any new businesses with the State of California; 4) unlikely that the proposal will eliminate any existing businesses within the State of California; and 5) unlikely the proposal would cause the expansion of businesses currently doing business within the State of California.

Benefits of the Proposed Action The Commission anticipates that the proposed amendments will benefit the welfare of students attending public schools in the State of California by providing the monetary means to perform its statutorily-mandated accreditation duties, thereby ensuring high quality educator preparation for the instruction of California public school pupils.

Effect on small businesses: The proposed regulations will not have a significant adverse economic impact upon business. The proposed regulations apply only to institutions offering Commission-approved and accredited educator programs.

Consideration of Alternatives

In accordance with Government Code section 11346.5, subdivision (a)(13), the Commission must determine that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed, would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected

private persons and equally effective in implementing the statutory policy or other provision of law. The Commission invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period or at the public hearing.

Contact Person/Further Information

General or substantive inquiries concerning the proposed action may be directed to Tammy A. Duggan by telephone at (916) 323-5354 or Tammy A. Duggan, Commission on Teacher Credentialing, 1900 Capitol Avenue, Sacramento, CA 95811. General question inquiries may also be directed to Martha Zavala at (916) 323-5080 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. This information is also available on the Commission's website at www.ctc.ca.gov. In addition, all the information on which this proposal is based is available for inspection and copying.

Availability of Statement of Reasons and Text of Proposed Regulations

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of the Notice of Proposed Rulemaking, the proposed text of regulations, the Initial Statement of Reasons, an economic impact assessment/analysis contained in the Initial Statement of Reasons, Commission agenda items 3D from the August 2013 meeting and 4A from the September 2013 meeting. Copies may be obtained by contacting Tammy Duggan at the address or telephone number provided above.

Modification of Proposed Action

If the Commission proposes to modify the actions 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.

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. Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Tammy A. Duggan at (916) 323-5354.

Availability of Documents on the Internet

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through the Commission's website at www.ctc.ca.gov.

CALIFORNIA CODE OF REGULATIONS
TITLE 5. EDUCATION
DIVISION 8. COMMISSION ON TEACHER CREDENTIALING
CHAPTER 5. APPROVED PROGRAMS
ARTICLE 3. OTHER PROGRAM APPROVAL PROCEDURES

Subarticle 3. Cost Recovery Fees for Program Approval and Accreditation

§80691. Definitions.

As used in this subarticle, the following terms shall have the meanings as set forth below:

- (a) “Board of Institutional Review member” is an individual who has successfully completed the Commission-provided training detailed in the *Accreditation Handbook* Chapter Eleven, Board of Institutional Review Member Skills and Competencies (rev. 2012), available on the Commission’s website and hereby incorporated by reference.

- (b) “Focused site visit” is a site visit requested by the Committee on Accreditation when it is determined that the professional preparation program is not complying with the accreditation system activities specified in the *Accreditation Handbook* Chapter Four, The Accreditation Cycle (rev. 2012), available on the Commission’s website and hereby incorporated by reference.

- (c) “Initial institutional approval” is granted by the Committee on Accreditation when an institution that has not previously prepared educators for certification in California has been deemed to meet the accreditation requirements as explained in the *Accreditation Handbook* Chapter Three, Institutional and Program Approval (rev. 2012), available on the Commission’s website and hereby incorporated by reference.

- (d) “Initial program review” is the review of a professional preparation program’s formal response to the program standards associated with a specific program type as explained in the *Accreditation Handbook* Chapter Three, Institutional and Program Approval (rev. 2012). Initial program review occurs when a professional preparation program intends to offer a new professional preparation program type or when the Commission revises program standards to such a significant degree that a professional preparation program must rewrite the program document.

- (e) “Institution” means any of the following categories of agencies which are authorized to seek initial institutional approval as defined in subsection (c) in order to submit a professional preparation program for approval and accreditation as defined in subsection (h):
 - (1) A California county superintendent of schools office;

 - (2) A California school district;

- (3) A charter school as established in Education Code Section 47605;
- (4) A regionally-accredited college or university;
- (5) A non-governmental or community-based organization.
- (f) “Late review” refers to the submission of a Biennial Report, as defined in the *Accreditation Handbook* Chapter Five, Biennial Reports (rev. 2012), available on the Commission’s website and hereby incorporated by reference, and/or a Program Assessment, as defined in Chapter Six, Program Assessment (rev. 2012), available on the Commission’s website and hereby incorporated by reference, after the deadline established pursuant to the *Accreditation Handbook* Chapter Four, The Accreditation Cycle (rev. 2012).
- (g) “Program Assessment” is a process that occurs in year four of the seven year accreditation cycle and requires professional preparation programs to submit to the Commission a clear description of how a program is operating as explained in the *Accreditation Handbook* Chapter Six, Program Assessment (rev. 2012).
- (h) “Professional preparation program” refers to an institution that has been approved by the Commission and accredited by the Committee on Accreditation to offer a program which leads to the issuance of teaching credentials, services credentials, specialist credentials, added authorizations, or certificates.
- (i) “Site revisit” is an accreditation visit that is conducted as a result of an action taken by the Committee on Accreditation to place stipulations on the accreditation of a professional preparation program as detailed in the *Accreditation Handbook* Chapter Fifteen, The Accreditation Revisit (rev. 2012), available on the Commission’s website and hereby incorporated by reference.
- (j) “Site visit” is an accreditation visit conducted in the seventh year of the accreditation cycle as specified in the *Accreditation Handbook* Chapter Four, The Accreditation Cycle (rev. 2012).
- (k) “Standard accreditation cycle” refers to the seven-year accreditation cycle specified in the *Accreditation Handbook* Chapter Four, The Accreditation Cycle (rev. 2012).
- (l) “Stipulations” are placed on the accreditation of a professional preparation program by the Committee on Accreditation when it is determined that one or more applicable common and/or program standards have not been met or have been met with concerns as explained in the *Accreditation Handbook* Chapter Eight, Accreditation Decisions: Options and Implications (rev. 2012), available on the Commission’s website and hereby incorporated by reference.

Note: Authority cited: Section 44225, Education Code. Reference: Sections 44225(h), 44370, 44371, 44372, 44373(c) and 44374, Education Code.

§80692. Program Approval and Accreditation Fees

The following fees associated with the activities defined in §80691 shall be submitted to the Commission by the professional preparation program:

(a) Fees for document review beyond the Standard Accreditation Cycle shall be submitted with the professional preparation program's formal response to the applicable standards as follows:

(1) Initial institutional approval: \$2,000 flat fee.

(2) Initial program review:

(A) Professional preparation program that addresses twelve or more standards: \$2,000 flat fee.

(B) Professional preparation program that addresses six to eleven standards: \$1,500 flat fee.

(C) Professional preparation program that addresses fewer than six standards: \$1,000 flat fee.

(D) A professional preparation program that provides a number of Board of Institutional Review members that is equal to or greater than two times the number of their program documents submitted for initial program review annually and that assume all travel costs related to the review of the program documents submitted for initial review shall be exempt from payment of the fees associated with this subsection.

(b) Fees for the following activities in excess of the regularly scheduled accreditation activities shall be submitted to the Commission in the year that the extraordinary activities are performed:

(1) Focused site visit: \$1,000 for each individual attending the focused site visit.

(2) Late reviews: \$500 per document.

(3) Program assessments:

(A) No fee shall be charged for the first three reviews of a program assessment submitted by a professional preparation program. The fee for review of a program assessment beyond the first three reviews: \$1,000 flat fee.

(B) A professional preparation program that does not complete the program assessment process at least six months prior to a scheduled site visit: \$3,000 flat fee for two

additional Board of Institutional Review members to review the program during the site visit.

(4) Stipulations:

- (A) Site revisit: \$1,000 per individual attending the site revisit;
- (B) Review of a report due to stipulations that does not require a site revisit as detailed in the *Accreditation Handbook* Chapter Nine, Activities during the Seventh Year of the Accreditation Cycle (rev. 2012), available on the Commission's website and hereby incorporated by reference: \$500 flat fee;
- (C) Review of a report associated with a site revisit as detailed in the *Accreditation Handbook* Chapter Nine, Activities during the Seventh Year of the Accreditation Cycle (rev. 2012): \$1,000 flat fee.

Note: Authority cited: Section 44225, Education Code. Reference: Sections 44225(h), 44371, 44372, 44373(c), 44374 and 44374.5, Education Code.



Commission on Teacher Credentialing

1900 Capitol Avenue Sacramento, CA 95811 (916) 323-5454 Fax (916) 322-0048 www.ctc.ca.gov

Attn: Tammy A. Duggan, Consultant
Certification Division

Title: Proposed Addition to Title 5 of the California Code of Regulations Pertaining to Cost Recovery Fees for Accreditation Activities

Section: Addition of 5 CCR §§80691 and 80692

Response to the Attached Title 5 Regulations

To allow the Commission on Teacher Credentialing to more clearly estimate the general field response to the attached regulations, please return this response form to the Commission office, attention Tammy A. Duggan, at the above address or fax to her attention at (916) 322-0048. The response must arrive at the Commission by 5:00 pm December 9, 2013 for the material to be presented at the December 13, 2013 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 regulations for the following reasons:
PLEASE LIST THE SPECIFIC SECTION. If additional space is needed, use the reverse of this sheet or additional page.

3. Personal opinion of the undersigned and/or
 Organizational opinion representing: (Circle One) School District, County Schools, College/University, Professional Organization, Other _____
4. I shall be at the public hearing. Place my name on the list for making a presentation to the Commission.
 No, I will not make a presentation to the Commission at the public hearing.

Signature: _____ Date: _____

Printed Name: _____

Title: _____ Phone: _____

Employer/Organization: _____

Mailing Address: _____

Route to tad