



CODED CORRESPONDENCE

DATE:

July 17, 2020

NUMBER:

20-04

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 Amendments and Additions to Title 5 of the California Code of Regulations Pertaining to Theater and Dance Credentials

Summary

The Commission on Teacher Credentialing (Commission) proposes amendments to Title 5 of the California Code of Regulations (CCR), sections 80004, 80005, 80057.5, 80089.1, 80089.2, and 80089.3 to implement the new Theater and Dance credentials created by Senate Bill (SB) 916 (Chapter 652, Statutes of 2016).

Notice of Public Hearing

No public hearing has been scheduled for this proposal. However, the Commission will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the comment period. The Commission approved the recommendation at the April 24, 2020 meeting to begin the rule making file for submission to the Office of Administrative Law.

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 midnight on September 1, 2020. Comments must be received by that time. You may fax your response to (916) 322-0048; write to the Commission on Teacher Credentialing, attn. Joshua Speaks, 1900 Capitol Avenue, Sacramento, California 95811; or submit an e-mail to jspeaks@ctc.ca.gov.

Authority and References

EC sections 44225 and 44251.2 authorize the Commission to adopt these proposed regulation amendments. The proposed amendments implement, interpret, and make specific EC section 44257.

Informative Digest/Policy Statement Overview

This rulemaking action proposes amendments to the CCR relating to Theater and Dance credentials and authorizations, as approved at the April 2020 meeting. The amendments include the creation of new theater and dance subject matter and supplemental authorizations, and provisions stating that educators who receive their English and Physical Education (PE) credentials or authorizations prior to January 1, 2022 will continue to be authorized to teach theater and dance. The amendments also make minor technical and clarifying changes to the CCR related to these topics.

SB 916 was enacted into law on September 26, 2016. This bill amended Education Code (EC) section 44257 to create Single Subject credentials in the areas of Theater and Dance. Currently these subjects are subsumed content areas taught by holders of single subject credentials in English and PE, whose current preparation includes theater and dance content. Additionally, existing Subject Matter Authorizations and Supplementary Authorizations in English and PE authorize instruction in Theater and Dance, respectively. Subject Matter Authorizations and Supplementary Authorizations are documents that authorize an educator to teach subjects beyond the scope of their credential, based on coursework completed in the subject named in the authorization. SB 916 also explicitly states that English and PE credentials issued prior to the establishment of the new credentials shall still authorize the teaching of theater and dance respectively. In addition, EC section 44251.2 states that “A credential, permit, certificate, or other document that is lawfully issued by the commission shall remain in force in accordance with the laws and regulations under which it was issued, and shall be exempt from new laws and regulations unless sections of this code are specifically amended to the contrary.”

The regulations proposed in this rulemaking would add Theater and Dance credentials to the list of credentials authorized for departmentalized classes in Section 80004. They would also authorize educators with Single Subject English and PE credentials issued prior to January 1, 2022 to continue providing instruction in theater and dance, respectively. Similar changes would be made to Sections 80057.5, 80089.2, and 80089.3 regarding Supplementary and Subject Matter Authorizations, creating new Theater and Dance authorizations while specifying that English and PE authorizations issued prior to January 1, 2022 would retain their current scope including the subjects of theater and dance. Section 80005 would be amended to include Theater and Dance, and a list of their corresponding subsumed subjects, while removing theater and dance from the list of subjects subsumed by English and PE credentials.

The regulations proposed in this rulemaking also make minor, technical changes. The regulations remove the phrase “Languages other than English” and replace it with the phrase “World Languages” in Section 80005 to reflect a change in terminology in EC Section 44257, and remove the sunset date for the Supplementary and Subject Matter Authorizations in Computer

Concepts and Applications from Sections 80057.5 and 80089.2. The sunset date, April 1, 2016, is long past and it is no longer possible to qualify for the Supplementary Authorization in Computer Concepts and Applications.

Anticipated Benefits of the Proposed Regulations

The Commission anticipates that the proposed amendments will help to clarify and implement the statutory changes adopted by the Legislature, which were intended to increase opportunities for experienced theater and dance professionals to enter the California teaching workforce. The changes promoted clarity by implementing these new and highly anticipated credentials and authorizations. The Commission also anticipates that the proposed amendments will benefit students attending public schools in the State of California and their families by assuring well-prepared and specialized theater and dance teachers.

The Commission does not anticipate that the proposed regulations will result in an increase 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.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations:

The Commission has conducted a review to identify any regulations that would relate to, or affect, this area and has determined that this proposed regulation is not inconsistent or incompatible with existing regulations. These are the only regulations concerning the authorization of educators to teach theater and dance in California.

Disclosures Regarding Proposed Actions

The Commission has made the following initial determinations

Mandate to local agencies or school districts: None.

Cost to local agencies or school districts: None.

Cost or savings to any state agency: None.

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

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: The Commission is not aware of any cost impacts that a representative private person or business 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 within 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; and 6) as stated above would benefit California schools by increasing opportunities for experienced theater and dance professionals to enter the California teaching workforce and benefit students attending public schools in the State of California and their families by assuring well-prepared and specialized theater and dance teachers.

Effect on small businesses: The proposed regulations will not have a significant adverse economic impact upon business. The proposed regulations apply only to individuals seeking a credential or authorization to teach theater or dance in California public schools.

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 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.

Sources

June 2016 Commission agenda item 6B – Analysis of Bills [for document, send email to ArchiveRequest@ctc.ca.gov]

Approval of the June 2016 minutes [for document, send email to ArchiveRequest@ctc.ca.gov]

September 2019 Commission agenda item 5A – Draft Subject Matter Requirements and Draft Teaching Performance Expectations for the New Single Subject Theater and Dance Credentials: <https://www.ctc.ca.gov/docs/default-source/commission/agendas/2019-09/2019-09-5a.pdf>

Approval of the September 2019 minutes:

<https://www.ctc.ca.gov/docs/default-source/commission/agendas/2020-01/2020-01-1a.pdf>

November 2019 Commission agenda item 3H – Proposed Blueprint for the New California Subject Examinations for Teachers (CSET) Single Subject Examinations for Theater and Dance: <https://www.ctc.ca.gov/docs/default-source/commission/agendas/2019-11/2019-11-3h.pdf>

Approval of the November 2019 minutes:

<https://www.ctc.ca.gov/docs/default-source/commission/agendas/2020-01/2020-01-1a.pdf>

April 2020 Commission agenda item 6A – Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Theater and Dance Credentials:

<https://www.ctc.ca.gov/docs/default-source/commission/agendas/2020-04/2020-04-6a.pdf>

Approval of the April 2020 minutes: <https://www.ctc.ca.gov/docs/default-source/commission/agendas/2020-06/2020-06-1a.pdf>

Contact Information

General or substantive inquiries concerning the proposed action may be directed to Joshua Speaks by telephone at (916) 327-5339, Commission on Teacher Credentialing, 1900 Capitol Avenue, Sacramento, CA 95811. The alternate contact is Thomas Johnson, via email at tjohnson@ctc.ca.gov. General question inquiries may also be directed to the address mentioned above. 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 the Rulemaking File

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 of Register, the rulemaking file consists of the Notice of Proposed Rulemaking, the proposed text of regulations, the Initial Statement of Reasons, and an economic impact assessment/analysis contained in the Initial Statement of Reasons. Copies may be obtained by contacting Joshua Speaks 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 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. Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Joshua Speaks via email at jspeaks@ctc.ca.gov.

Availability of Documents

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, and the text of the regulations can be accessed through the Commission's website at <https://www.ctc.ca.gov/commission/notices/rulemaking>.