



CODED CORRESPONDENCE

DATE:

May 14, 2021

NUMBER:

21-03

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 Education Specialist Credentials and Bridge Authorizations

Summary

The Commission on Teacher Credentialing (Commission) proposes amendments to Title 5 of the California Code of Regulations (CCR), 80033, 80046.1, 80047, 80047.1, 80047.2, 80047.3, 80047.4, 80048.3.1, 80048.3.2, 80048.5, 80048.6, 80048.7, 80048.8, 80048.9, 80048.9.4, 80048.10, 80070.4 to implement the new Education Specialist credentials and their accompanying bridge authorizations created by the Commission.

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 to create the new Education Specialist Credentials and Bridge Authorizations at the December 4, 2020, meeting, and approved minor changes to the Teaching Performance Expectations and Teaching Performance Assessment at the April 15, 2021, meeting, authorizing staff 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 June 29, 2021. 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

California Education Code (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 44265.

Informative Digest/Policy Statement Overview

This rulemaking action proposes amendments to the CCR relating to Education Specialist credentials and bridge authorizations, as approved at the December 2020 meeting. The amendments include the creation of new Education Specialist credentials based on new Standards and Teaching Performance Expectations (TPEs), as well as the creation of new bridge authorizations, allowing existing credential holders who choose to do so to obtain the new authorizations by demonstrating sufficient mastery of TPEs not reflected in their original preparation. The amendments also make minor technical and clarifying changes to the CCR related to these topics.

The Commission has been engaged in a multi-year effort to address needed changes to the ways in which students with disabilities are served in California schools. This work was spurred by the report from the Statewide Special Education Task Force in 2015. Following the “one system for all” vision laid out in the report, the Commission created a set of universal TPEs, ensuring that all general and special education teachers would share a “common trunk,” a specific base of knowledge and skills. Once individuals have moved into their specialized credential areas, they will encounter and master additional TPEs specific to the credential they are seeking.

The new Standards and TPEs created by the Commission reflect a more holistic approach to educating students with disabilities. This is reflected in the redesigned “common trunk” approach, which requires Education Specialist candidates to master general pedagogical principles common to teaching all students. The new Standards and TPEs also reflect the reality that students will often come into a learning environment with a broader set of challenges than can be reflected by one primary disability category. Focusing instead on support needs allows each student to receive more individualized support, reflecting California’s commitment to provide each student with an education that is appropriate to their needs.

Based on these new Standards and TPEs, the Commission also adopted a new credentialing structure designed to provide more flexibility to meet the needs of students with disabilities while still complying with federal guidelines. The previous seven credentials were reorganized into five:

Early Childhood Special Education (ECSE)
Visual Impairments (VI)
Deaf and Hard of Hearing (DHH)
Mild to Moderate Support Needs (MMSN)
Extensive Support Needs (ESN)

The new MMSN and ESN credentials are intended to better prepare teachers to serve students across a range of disabilities. Among other changes made, these credentials, along with ECSE, will now require preparation in the areas previously covered by the Physical and Health Impairments and Language and Academic Development credentials, which have been eliminated. The change has resulted in new credentials that are broader in scope than the credentials they are replacing. Educators who currently hold one of the existing credentials will remain authorized to teach all students that they are currently authorized to teach. They will not be required to obtain a new credential or undergo any additional preparation.

However, the Commission expects that many educators will want to earn the broader authorizations made possible by the new credentials. At its December 2020 meeting therefore, the Commission took action to authorize staff to begin rulemaking on both the new credentials and a “bridge” concept that would allow existing credential holders who choose to do so to obtain the new authorizations by demonstrating sufficient mastery of TPEs not reflected in their original preparation.

The regulations in this rulemaking would amend Title 5 CCR sections 80047, 80047.1, 80047.2, 80047.3, 80047.4, 80048.3.1, and 80048.3.2 to reflect the change in the focus of the Education Specialist credentials from disability categories to support needs. Sections 80048.3.1 and 80048.3.2 will be amended to replace the terms “Level I” and “Level II” with “Preliminary” and “Clear” for credentials earned by out-of-state and out-of-country prepared applicants, conforming them with the standard terminology for California prepared applicants. Sections 80033, 80046.1, 80048.5, 80048.9, 80048.9.4, 80070.7 will be amended to incorporate the 2018 Standards and TPEs. The regulations also amend section 80048.6 to include the authorization statements for the Mild/Moderate and Extensive Support Needs credentials, remove the Physical and Health Impairments and Language and Academic Development credentials, as well as amending the Early Childhood Special Education credential and Early Childhood Special Education Added Authorization statements. Section 80048.6 will be amended to include authorization for three new Bridge Authorizations. The regulations amend section 80048.7 to replace outdated form references with the correct versions and section 80048.8 to correct an outdated statutory reference. A new section, 80048.10, is added to create three new Education Specialist Bridge Authorizations and set out the requirements for earning these authorizations. The regulations also make other minor amendments to sections 80047, 80047.1, 80047.2, 80047.3, 80047.4, 80048.3.1, 80048.3.2, 80048.6, and 80048.8 for clarity and consistency purposes.

Anticipated Benefits of the Proposed Regulations

The Commission anticipates that the proposed amendments will help to improve services to students with disabilities by better preparing California educators to serve in settings with a broad array of student needs. The new Standards and universal TPEs will also better prepare Education Specialists to serve across a variety of general and special education classrooms.

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, or an increase in openness and transparency in business. To the extent that Education Specialists will be better prepared to address the needs of all students, the proposed regulations may lead to an increase in social equity.

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.

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; 5) unlikely the proposal would cause the expansion of businesses currently doing business within the State of California; and 6) would increase equity for California students with disabilities by better preparing the California teaching workforce to meet the needs of all students.

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 in a special education setting 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

February 2018 Commission Agenda Item 4B – Proposed Credential Structure and Related Considerations for the Preliminary Education Specialist Teaching Credential:

<https://www.ctc.ca.gov/docs/default-source/commission/agendas/2018-02/2018-02-4b.pdf>

Approval of the February 2018 Minutes: <https://www.ctc.ca.gov/docs/default-source/commission/agendas/2018-04/2018-04-2a.pdf>

August 2018 Commission Agenda Item 2E – Proposed Titles, Program Standards, and Teaching Performance Expectations for Education Specialist Teachers:

<https://www.ctc.ca.gov/docs/default-source/commission/agendas/2018-08/2018-08-2e.pdf>

December 2020 Commission Agenda Item 3A – Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Bridge Authorizations for the New Education Specialist Credentials: <https://www.ctc.ca.gov/docs/default-source/commission/agendas/2020-12/2020-12-3a.pdf>

Approval of the December 2020 Minutes: <https://www.ctc.ca.gov/docs/default-source/commission/agendas/2021-02/2021-02-1a.pdf>

April 2021 Commission Agenda Item 4C – Review and Proposed Adoption of the Revised Mild to Moderate Support Needs and Extensive Support Needs Teaching Performance Expectations:

<https://www.ctc.ca.gov/docs/default-source/commission/agendas/2021-04/2021-04-4c.pdf>

Video of Adoption of Revisions: <https://www.youtube.com/watch?v=M06-xvS8FTI&t=11127s>

Contact Information:

General or substantive inquiries concerning the proposed action may be directed to Joshua Speaks by telephone at (916) 327-5339, or by mail at Commission on Teacher Credentialing, 1900 Capitol Avenue, Sacramento, CA 95811. 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 on the Internet

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>.