



CODED CORRESPONDENCE

DATE:

July 29, 2022

NUMBER:

22-04

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 to Title 5 of the California Code of Regulations Pertaining
to Teaching Performance Assessment**

Summary

The Commission on Teacher Credentialing (Commission) is proposing the addition of section 80059 to Title 5, California Code of Regulations related to teaching performance assessments required of teacher candidates seeking multiple credentials. Specifically, section 80059 shall require teacher candidates seeking multiple credentials to pass only one teaching performance assessment (TPA) and that the Commission accredited educator preparation program shall advise and assist the candidate enrolled in the program to determine the specific teaching performance assessment that best aligns with the field placement and future career goals of the candidate. Section 80059 also clarifies the conditions in which a credential holder seeking a subsequent credential type shall be required or shall not be required to pass a TPA.

Notice of Public Hearing

The Commission has not scheduled a public hearing on this proposed action. However, the Commission will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days before the close of the comment period.

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed action by fax, through the mail, or by email. The written comment

period closes on September 12, 2022. Comments must be received by that time or may be submitted at the public hearing, should one be requested. Interested parties may fax their response to (916) 327-3165; write to the Commission on Teacher Credentialing, Attn: Lynette Roby, Commission on Teacher Credentialing, 1900 Capitol Avenue, Sacramento, California 95811; or submit an email to Lynette Roby (Lynette.Roby@ctc.ca.gov).

Information Digest/Policy Statement Overview

Summary of Existing Laws and Regulations

Section 44259(b)(3)(A) of the Education Code establishes the minimum requirements for earning a Preliminary Multiple or Single Subject teaching credential, which includes passage of a teaching performance assessment (TPA) approved by the Commission. Assembly Bill 320 (Medina, Chap. 663, Stats. 2021) added passage of a TPA to the requirements for earning an Education Specialist Credential. Currently, a teacher candidate in a preparation program is required to complete a TPA that is Commission approved and is consistently applied to candidates in similar preparation programs. Education Code section 44320.2(c) requires that performance assessments be implemented by the Commission so that it does not increase the number of assessments required for teacher credential candidates.

The educator preparation community asked for clarity regarding whether candidates or teachers seeking both a Preliminary Multiple or Single Subject credential and an Education Specialist credential or more than one Education Specialist credential would be required to take and pass a TPA in each credential area. Section 80095 addresses this by providing the following clarification for credential programs and for candidates seeking multiple credentials:

- Candidates shall only be required to pass one teaching performance assessment.
- The Commission accredited educator preparation program shall advise and assist the candidate enrolled in the program to determine the one specific teaching performance assessment that best aligns with the field placement and future career goals of the candidate.
- Clarifies the conditions in which a credential holder seeking a subsequent credential type shall be required or shall not be required to pass a TPA.

Objectives and Anticipated Benefits of the Proposed Regulations

The Commission anticipates that the proposed regulations will benefit the welfare of teacher candidates enrolled in dual/multiple credential programs as they will maintain the integrity of the credentials sought while not burdening teacher candidates with multiple measures of the same knowledge, skills, and abilities as identified in the credential specific Teaching Performance Expectations (TPEs) and will ensure that Education Code section 44320.2(c) is clear to candidates and programs. These regulations will clarify that credentialing programs must collaborate with teacher candidates seeking two or more credentials to determine the TPA that best aligns with the candidate's field placement and career goals. Additionally, they will make clear the instances when credentialed teachers seeking a subsequent credential be required or not be required to take and pass a TPA.

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. After conducting a review for any regulations that would relate to or affect this area, the Commission has concluded that these are the only regulations that concern Teaching Performance Assessment requirements as applied to teacher candidates seeking multiple credentials.

Disclosures Regarding the Proposed Actions/Fiscal Impact

The Commission has made the following initial determinations.

Local Mandate

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. Local education agencies may choose sponsor educator preparation programs utilizing the proposed regulations; however, no mandate exists requiring local agencies or school districts to have educator preparation programs and, therefore, no reimbursement in accordance with Part 7 (commencing with section 17500) of the government code is required.

Fiscal Impact

Costs to any local agency or school districts requiring reimbursement pursuant to Government Code section 17500 et seq.

These proposed regulations will not impose a cost to local agencies or school districts requiring reimbursement in accordance with Part 7 (commencing with section 17500) of the Government Code as sponsoring an educator preparation program that is aligned to the proposed regulations and is not required by law.

Cost or savings to any state agency

None. Sponsoring an educator preparation program that is aligned to the proposed regulations is not required by law.

Other non-discretionary costs or savings imposed upon local agencies

None. Sponsoring an educator preparation program that is aligned to the proposed regulations is not required by law.

Cost or savings in federal funding to the state

None. Sponsoring an educator preparation program that is aligned to the proposed regulations is not required by law.

Housing Costs

No significant effect on housing costs exists. The proposed regulations do not intersect with the cost of housing.

Significant Statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states

The Commission has concluded there is no significant adverse impact on business. Only Commission-approved credentialing programs administer the TPA.

Statement of the Results of the Economic Impact Assessment

In accordance with Government Code section 11346.3(b), the Commission has made the following assessments regarding the proposed regulations:

Creation or Elimination of Jobs within California

The Commission concludes that it is unlikely that the proposal will create or eliminate a significant number of jobs within the State of California. All Commission-approved credential programs utilize one or more of the three Commission-approved models: CalTPA, the edTPA, and FAST. These programs have not indicated any elimination of jobs.

Creation of New Businesses or Elimination of Existing Business within California

The Commission concludes that it is unlikely that the proposal will create any new businesses or eliminate any existing businesses within the State of California since the educational institutions are California State Universities, Universities of California, private four-year colleges and universities, or local education agencies, none of which meet the definition for small business.

Expansion of Businesses Currently Doing Business within the California

The Commission concludes that it is unlikely the proposal would cause the expansion of businesses currently doing business within the State of California since the TPAs are administered by Commission-approved programs including CalTPA, edTPA and FAST.

Benefits of the Regulations

The Commission anticipates that the proposed regulations will continue to benefit the health and welfare of California residents by ensuring that candidates who earn multiple credentials are not burdened with additional assessments, while still ensuring that educators in California are well prepared to meet the needs of public school students. The Commission does not anticipate that these regulations will result in a direct benefit to worker safety or the state's environment.

Cost Impacts on a Representative Private Person or Business

The Commission concludes that it is unlikely the proposal will have a cost impact on a private person or representative business within the State as only Commission-approved credentialing programs administer the TPA.

Business Report

This proposal does not require a business report to be made.

Effect on Small Business

The proposed regulations will not have a significant adverse economic impact upon small business. The proposed regulations apply only to educational institutions electing to offer or

offering Commission-approved and accredited educator programs. Educational institutions are California State Universities, Universities of California, private four-year colleges and universities, or local education agencies, none of which meet the definition for small business as defined in Government Code 11342.610. Most Commission-approved program sponsors are nonprofit educational institutions. A very few institutions of higher education approved by the Commission at this time are for profit businesses. Because offering an educator preparation program is voluntary, any institution must evaluate whether they have sufficient resources to offer a high-quality preparation program in accordance with the state adopted standards, state statute, and regulations

Alternatives Statement

The Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention 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. 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 Lynette Roby by telephone at (916) 324-3668, by mail at Commission on Teacher Credentialing, Attn: Lynette Roby, Commission on Teacher Credentialing, 1900 Capitol Avenue, Sacramento, CA 95811, or by email to: Lynette Roby (Lynette.Roby@ctc.ca.gov). General question inquiries may also be directed to the addresses 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 <http://www.ctc.ca.gov/notices/rulemaking.html>. 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 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 Lynette Roby at the addresses 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, following the conclusion of the public hearing. Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Lynette Roby at Lynette.Roby@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 <http://www.ctc.ca.gov/notices/rulemaking.html>.

The Commission on Teacher Credentialing has illustrated changes to the original text in the following manner: text originally proposed to be added is underlined; text proposed to be deleted is displayed in ~~strikeout~~.

CALIFORNIA CODE OF REGULATIONS
TITLE 5. EDUCATION
DIVISION 8. COMMISSION ON TEACHER CREDENTIALING
CHAPTER 1. Credential Issued Under the Teacher Preparation and Licensing Law of 1970
Article 3. Examinations and Subject Matter

80095. Specific Teaching Performance Assessment Requirements

- (a) Candidates seeking multiple credentials shall only be required to pass one teaching performance assessment. The Commission accredited educator preparation program shall advise and assist the candidate enrolled in the program to determine the one specific teaching performance assessment that best aligns with the field placement and future career goals of the candidate. Notwithstanding subsection (b) credential holders seeking a subsequent credential type shall take and pass a teaching performance assessment if either of the following conditions apply:
- (1) The initial credential was earned through preparation in another state or country, or through alternative pathways that did not require passage of a teaching performance assessment.
 - (2) The initial credential was earned based on California preparation that was completed prior to any teaching performance assessment requirement for the credential earned.
- (b) Credential holders seeking a subsequent credential type are not required to take and pass a teaching performance assessment if any one of the following conditions applies:
- (1) a credential holder holds a valid clear, level II, or life teaching credential.
 - (2) a preliminary credential holder has passed a teaching performance assessment as a requirement of a Commission accredited educator preparation program.

Note: Authority cited: Section 44225, Education Code. Reference: Sections 44320, 44320.2 Education Code.