



CODED CORRESPONDENCE

DATE:

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NUMBER:

22-06

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 Subject Matter Competency**

Summary

The Commission on Teacher Credentialing (Commission) is proposing the addition of section 80096 to Title 5, California Code of Regulations related to subject matter competency. These proposed regulations would authorize programs to verify a candidate's subject matter competence by confirming successful completion of specified coursework at a regionally accredited institution of higher education with a grade of C or higher. The regulations would also authorize the use of a baccalaureate degree from a regionally accredited institution of higher education with an applicable major, as specified, for single subject candidates; a baccalaureate degree from a regionally accredited institution of higher education with a major of Liberal Studies, Liberal Arts, or Elementary Education for multiple subject candidates; or either of these options for education specialist candidates.

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 December 5, 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

In July 2021, AB 130 (Chapter 44, Statutes of 2021) amended Education Code section 44259(b)(5)(A) to allow for additional options to meet the subject matter requirement for preliminary teaching credentials to help address the statewide teacher shortage. Prior to passage of AB 130, candidates could only demonstrate subject matter competency through an examination or completion of a Commission-approved subject matter program. Now candidates may meet the subject matter requirement through coursework or completion of a specific major.

Objectives and Anticipated Benefits of the Proposed Regulations

The Commission has adopted the proposed amendments to implement, interpret, and make specific Education Code section 44259 pertaining to Subject Matter Competence. The addition of the regulations proposed for section 80096 will clarify the statutory changes made by the enactment of AB 130. Educator preparation programs performing coursework reviews will have clear guidance on the types of coursework and majors that are now applicable to meet the subject matter requirement for a preliminary teaching credential. These regulations would authorize programs to verify a candidate's subject matter competence by confirming successful completion of specified coursework at a regionally accredited institution of higher education with a grade of C or higher. The regulations would also authorize the use of a baccalaureate degree from a regionally accredited institution of higher education with an applicable major, as specified, for single subject candidates; a baccalaureate degree from a regionally accredited institution of higher education with a major of Liberal Studies, Liberal Arts, or Elementary Education for multiple subject candidates; or either of these options for education specialist candidates.

The Commission does not anticipate any specific benefits to the health and welfare of California residents, worker safety, and the state's environment. However, this rulemaking does address opening the pipeline to teacher employment which benefits individuals exploring teaching as an employment option. This in turn will help to address the teacher shortage providing California's public-school students with fully qualified teachers by opening up new options for candidates to meet the subject matter requirement. Additionally, it may allow for more fully credentialed teachers and fewer teachers on short-term or other temporary permits.

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 Subject Matter Competence requirements.

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 to 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. California State Universities, Universities of California, and Local Education Agencies that choose to sponsor preliminary educator preparation programs currently review coursework for prospective candidates. The proposed regulations will provide clear guidance regarding the review of coursework for additional options into a credentialing program. Additionally, the regulations recognize the fact that there is not a consistent naming system for academic degree majors at institutions of higher education throughout the state. The proposed regulations would save the costs involved in time and workload on the part of personnel at institutions of higher education as it would allow for and recognize majors that are essentially equivalent to those identified in statute but that have different names. With these majors, personnel would not have to use the coursework evaluation option which is more labor intensive.

Other non-discretionary costs or savings imposed upon local agencies

None. Sponsoring an educator preparation program is not a requirement. Only entities that choose to sponsor a program could potentially see a staffing cost for transcript review.

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 as these regulations only pertain to demonstration of subject matter competence for preliminary teaching credentials.

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. These regulations make clear additional pathways for teacher candidates to demonstrate that they have met the subject matter competence requirement required by California Education Code.

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

They will not create or eliminate jobs in California. The proposed amendments pertain to the demonstration of subject matter competence by prospective teachers and allow for additional options to meet subject matter requirements for preliminary teaching credentials. The amendments help to address the statewide teacher shortage and are necessitated by statutory changes. The Commission anticipates that the proposed amendments are intended to increase opportunities for candidates to complete their credentialing requirements thereby possibly increasing the supply of fully prepared teachers who will be ready to enter the California teaching workforce.

Creation of New Businesses or Elimination of Existing Business within California

The proposed amendments pertain to the demonstration of subject matter competence by prospective teachers. These amendments are necessitated by statutory changes and will not create or eliminate existing businesses in California.

Expansion of Businesses Currently Doing Business within the California

The proposed amendments pertain to the demonstration of subject matter competence by prospective teachers. These amendments are necessitated by statutory changes and will not cause the expansion or elimination of existing businesses in California.

Benefits of the Regulations

The Commission does not anticipate any specific benefits to the health and welfare of California residents, worker safety, and the state's environment. However, this rulemaking does address opening the pipeline to teacher employment which benefits individuals exploring teaching as an employment option. Additionally, it recognizes specific collegiate coursework that many prospective teachers may have already taken. If acceptable under these regulations, these prospective teachers would see a cost savings in that they would not have to take and pay for

the required subject matter examinations. This in turn is likely to help to address the teacher shortage providing California's public-school students with fully qualified teachers, thereby reducing the number of teachers on short term or other temporary permits

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.

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. The vast majority of Commission approved program sponsors are nonprofit educational institutions. 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 or not 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: Regulations, 1900 Capitol Avenue, Sacramento, CA 95811, or by email to Lynette.robby@ctc.ca.gov or David DeGuire at David.DeGuire@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

§80096. Determination of Subject Matter Competency

(a) When reviewing official transcripts for subject matter competency under sections 44259(b)(5)(A)(iii) and (v) of the Education Code, acceptable coursework shall be defined as:

(1) Coursework earned with a grade of "C" or higher. Courses earned with "Pass," "Credit," or another designation deemed by the institution of higher education to be equivalent to a grade "C" or higher is also acceptable.

(2) Coursework that is degree-applicable to an Associate or higher degree and credit bearing. Remedial coursework is not acceptable.

(3) Coursework that was completed at a regionally accredited institution of higher education.

(4) Upper division or graduate coursework that exceeds one or more subject matter domain, if the course content requires existing knowledge of the subject matter domain.

(b) When reviewing official transcripts for subject matter competency for a Single Subject Credential under section 44259(b)(5)(A)(iv)(I) of the Education Code, a major in one of the subject areas in which the commission credentials candidates shall mean that the name of the credential is in the name of the major or degree and the following:

(1) For the single subject area World Language: English Language Development, a major in English Language Development (ELD), Teaching English to Speakers of Another Language (TESOL), Teaching English as a Foreign Language (TEFL), or a similar major.

(2) For the single subject area of Home Economics, a major in family and consumer science.

(3) For the single subject area of Math, a major in statistics.

(4) For the Biological Science credential, a major in biology, biological engineering, or biochemistry.

(5) For the Chemistry credential, a major in chemical engineering or biochemistry.

(6) For the Geoscience credential, a major in geology or earth science.

(7) For the Physics credential, a major in mechanical or structural engineering.

(8) For the Foundational-Level Science credential, a major in any type of engineering or any degree major offered by a college or university science department.

(9) For the single subject area of Social Sciences, a major in history, ethnic studies, or any other major with a focus on the study of one or more related ethnicities.

(c) When reviewing official transcripts for subject matter competency for a Multiple Subject Credential under section 44259(b)(5)(A)(iv)(II) of the Education Code, a liberal studies major shall mean any of the following:

(1) Liberal Studies

(2) Liberal Arts

(3) Elementary Education

(d) When reviewing official transcripts for subject matter competency for a Multiple Subject Credential under section 44259(b)(5)(A)(iv)(II) of the Education Code for any other degree that includes coursework in the content areas pursuant to subdivision (b) of section 44282 of the Education Code, such coursework must meet the criteria set forth in subsections (a)(1), (a)(2), and (a)(3) above.

(e) When reviewing official transcripts for an Early Childhood Education Specialist Credential under section 44265(a) of the Education Code, subject matter competency may be demonstrated by a major in Child Development, Child and Adolescent Development, Human Development, Early Childhood Education, or a similar major.