



CODED CORRESPONDENCE

DATE:

March 1, 2024

NUMBER:

24-01

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
Cost Recovery Fees for Extraordinary Accreditation Activities**

Summary

The Commission on Teacher Credentialing (Commission) proposes amendments to Title 5 of the California Code of Regulations (CCR) related to Cost Recovery Fees for Extraordinary Accreditation Activities. Specifically, proposed amendments will: update sections 80692(a)(1)(A), 80692(a)(1)(B), 80692(a)(1)(C), 80692(a)(1)(D), 80692(a)(1)(E), 80692(a)(1)(F), 80692(a)(2)(A), 80692(a)(2)(B), 80692(a)(2)(C), and modify the numbering to reflect the amendments. This does not propose changes to the regulations governing annual accreditation fees.

Notice of 15-Day Notice is Hereby Given

Notice is Hereby Given, pursuant to the requirements of Government Code section 11346.8(c) and section 44 of Title 1 of the California Code of Regulations, that the Commission has proposed the following modifications to the proposed regulations, Title 5 of the California Code of Regulations pertaining to Cost Recovery Fees for Extraordinary Accreditation Activities. This does not propose changes to the regulations governing annual accreditation fees.

Additionally pursuant to the requirements of Government Code sections 11346.5(d), 11346.9(a)(l), and 11347.1, the Commission is providing notice that documents and other information which the agency has relied upon in adopting the proposed regulations have been added to the rulemaking file and are available for public inspection and comment. The

document and information added to the rulemaking file is as follows: Amendment to the Initial Statement of Reasons

Any person who wishes to comment on the proposed modifications to the text of the regulations may do so by submitting written comments postmarked beginning March 1, 2024 to Lynette Roby at Lynette.Roby@ctc.ca.gov. Any written comments are to be restricted to the modifications to the enclosed language. The Commission is not required to respond to comments received in response to this notice on other aspects of the proposed regulations. All written comments received or postmarked by March 18, 2024, which pertain to the modified text of the proposed regulations provided in this notice will be reviewed and responded to by Commission staff as part of the compilation of the rulemaking file.

Summary of Modifications

The Commission adopted regulations related to cost recovery fees for extraordinary accreditation activities at the September 27, 2013, meeting following the addition of Education Code section 44374.5, which authorized the Commission to develop and implement a cost recovery plan for extraordinary accreditation activities. Emergency regulations were approved by the Office of Administrative Law in October 2013, and in 2014 the regulations became permanent. In December 2022, the Commission adopted proposed amendments to these regulations that updated the three categories of cost recovery fees associated with Initial Program Review to explicitly identify which credential program types falls under each fee category. This replaces the reliance on number of standards in a credential program and instead considers the complexity of a program's standards and performance expectations. Additionally, language that refers to fees for Program Assessment activities was removed as that activity has been replaced by Program Review which does not occur in the same manner as Program Assessment. Accordingly, a notice was submitted to the Office of Administrative Law and a 45-day notice was posted May 12, 2023. The 45-day public comment period closed June 26, 2023, and no comments were received.

During the 45-day posting the need for several minor edits was noted by staff. Those revisions were made to the regulation text and were adopted by the Commission at the June 15, 2023, meeting. These revisions were posted in a 15-day notice on June 29, 2023, following the closure of the 45-day notice. No comments or questions were received from the public and the revised Cost Recovery final rulemaking file was submitted to the Office of Administrative Law for review July 21, 2023. Following the submission of the final rulemaking file for review, the Office of Administrative Law (OAL) recommended additional corrections and edits. In response, the cost recovery rulemaking file was withdrawn on August 30, 2023. Pursuant to OAL's review, edits have been made to the regulation text. As a result, this rulemaking action proposes the following corrections:

- The introductory statement is now included in the organizational numbering of the regulation text and is 80692(a).
- Cross-references to California Code of Regulations and/or Education Code have been added to each credential and authorization listed in the proposed regulation text.
- The list of credentials included in 80692(a)(1)(B)(4) are now listed individually as: 80692(a)(1)(B)(5) - Education Specialist Instruction Credential: Deaf and Hard-of-

Hearing; and 80692(a)(1)(B)(6) - Education Specialist Instruction Credential: Visual Impairments.

- The list of credentials and authorizations included in 80692(a)(1)(D) are now listed individually as: 80692(a)(1)(D)(1) - Special Education Added Authorization: Autism Spectrum Disorders; 80692(a)(1)(D)(2) - Adapted Physical Education Added Authorization; 80692(a)(1)(D)(3) - Special Education Added Authorization: Deaf-Blind; 80692(a)(1)(D)(4) - Early Childhood Special Education Added Authorization; 80692(a)(1)(D)(5) - Preliminary Resource Specialist Added Authorization; 80692(a)(1)(D)(6) - Clear Resource Specialist Added Authorization.
- Reinstatement of (a)(2)(C)(2) - incorporation by reference of the Accreditation Handbook.
- Edits to numbering and formatting were made for purposes of review by the Office of Administrative Law.

Written Comment Period/Contact Persons

The 15-day written comment period closes on March 18, 2024. General or substantive inquiries and comments concerning the proposed action must be received by that time. Interested parties may submit comments in writing to the Commission on Teacher Credentialing, Attn. Lynette Roby, 1900 Capitol Avenue, Sacramento, California 95811; by email to Lynette Roby at Lynette.Roby@ctc.ca.gov; or by telephone at 916-324-3668.

Upon request, a copy of the express terms of the proposed action and a copy of the Amendment to the Initial Statement of Reasons will be made available. This information is also available on the [Commission's rulemaking website](#). In addition, all the information on which this proposal is based is available for inspection and copying.

Documents Relied Upon in Preparing 15-Day Notice

- June 15, 2023, Agenda Item 1C, Approval of the June 2023 Consent Calendar, GS 1C – 21, https://www.ctc.ca.gov/docs/default-source/commission/agendas/2023-06/2023-06-1c.pdf?sfvrsn=2ac120b1_3

Availability of Documents on the Internet

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, the text of the regulations, and this 15-Day Notice can be accessed through the Commission's website listed above.

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~~. Text proposed to be amended in this 15-day notice is shown in double underline for additions and ~~double strike-out~~ for deletions.

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

§ 80692. Program Approval and Accreditation Fees.

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

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

(B) Initial program review:

~~(A) Professional preparation program that addresses twelve or more standards: \$2,000 flat fee. A \$2,000 flat fee shall be assessed for professional preparation programs that lead to one of the following credentials or authorizations types:~~

~~(i)~~ (i) 1. Preliminary Multiple Subject Teaching Credential (Sections 80003 and 80413; Ed. Code section 44259(b));

~~(ii)~~ (ii) 2. Preliminary Single Subject Teaching Credential (Sections 80004 and 80413; Ed. Code section 44259(b));

~~(iii)~~ (iii) 3. Preliminary Education Specialist Instruction Teaching Credential: Mild to Moderate Support Needs (Section 80048.6(b)(3));

~~(iv)~~ (iv) 4. Education Specialist Instruction Credential: Extensive Support Needs (Section 80048.6(b)(4)); Early Childhood Special Education, Deaf and Hard of Hearing, and/or Visual Impairments

5. Education Specialist Instruction Credential: Deaf and Hard-of-Hearing (Section 80048.6(b)(5));

6. Education Specialist Instruction Credential: Visual Impairments (Section 80048.6(b)(6));

~~(v)~~ (v) 7. Preliminary Early Childhood Education Specialist Instruction Credential: Early Childhood Special Education (Sections 80047 and 80048.6(b)(7));

~~(vi)~~ (vi) 8. Preliminary Administrative Services Credential (Section 80054);

~~(vii)~~ (vii) 9. Preliminary and Clear Designated Subjects Career/ Technical Education Teaching Credential (Sections 80034.2, 80035.1, and

80035.5)

- ~~(viii)~~ 10. Preliminary and Clear Designated Subjects Special Subjects ~~Adult Education Teaching Credential~~ (Section [80037](#));
- ~~(ix)~~ 11. Pupil Personnel Services Credential: School Counseling, School Social Work, or School Psychology (Section [80049](#));
- ~~(x)~~ 12. School Nurse Services Credential (with or without the Special Teaching Authorization in Health) Section [80050](#));
- ~~(xi)~~ 13. Speech-Language Pathology Services Credential (with or without Special Class Authorization) (Sections [80048.9](#) and [80048.9.4](#));
- ~~(xii)~~ 14. Clinical or Rehabilitative Services Credential: Orientation and Mobility (Section [80048.9.1](#));
- ~~(xiii)~~ 15. Clinical or Rehabilitative Services Credential: Audiology (Section [80048.9.2](#));
- ~~(xiv)~~ 16. Library Teacher Librarian Services Credential (with or without Special Class Authorization) (Sections [80053](#) and [80053.1](#)).

~~(B) Professional preparation program that addresses six to eleven standards: \$1,500 flat fee. Second Tier and Specialist program: \$1,500 flat fee. (C) Initial program review: A \$1,500 flat fee shall be assessed for professional preparation programs that lead to one of the following credentials or authorizations: ~~types or added authorizations:~~~~

- ~~(i)~~ 1. Clear Multiple Subject Teaching Credential (Section [80413](#));
- ~~(ii)~~ 2. Clear Single Subject Teaching Credential (Section [80413](#));
- ~~(iii)~~ 3. Clear Education Specialist Instruction ~~Teaching Credential~~ (Section [80048.8.1](#));
- ~~(iv)~~ 4. Professional Clear Early Childhood Education ~~(ECE)~~ Specialist Instruction Credential (Section [80067](#));
- ~~(v)~~ 5. Clear Administrative Services Credential (Section [80054](#));
- ~~(vi)~~ 6. Bilingual Authorization (Section [80033](#)); or
- ~~(vii)~~ 7. Adapted Physical Education Added Authorization (Section [80046.1](#)).

~~(C) Added Authorization and Special Class/Teaching Authorization program Professional preparation program that addresses fewer than six standards: \$1,000 flat fee. (D) Initial program review: A \$1,000 flat fee shall be assessed for professional preparation programs that lead to one of the following credentials or authorizations: ~~types or added authorizations:~~~~

- ~~(i) Special Education Added Authorizations: Autism Spectrum Disorders, Adapted Physical Education, Deaf-Blind, Early Childhood Special Education, Emotional Disturbance, Orthopedic Impairments, Other Health Impairments, Resource Specialist, and/or Traumatic Brain Injury~~
- 1. Special Education Added Authorization: Autism Spectrum Disorders (Section [80048.7\(d\)\(1\)](#));
- 2. Adapted Physical Education Added Authorization (Section [80046.1](#));

3. Special Education Added Authorization: Deaf-Blind (Section 80048.7(d)(2)):
4. Early Childhood Special Education Added Authorization (Section 80048.5):
5. Preliminary Resource Specialist Added Authorization (Section 80070.3):
- ~~(ii)~~ 6. Clear Resource Specialist Added Authorization (Section 80070.4):
7. Mathematics Instructional Added Authorization (Section 80069.2):
- ~~(iii)~~ 8. Clear Mathematics Instructional Leadership Specialist Credential (Section 80070):
- ~~(iv)~~ 9. Reading and Literacy Added Authorization (Section 80014):
- ~~(v)~~ 10. Restricted Reading and Literacy Leadership Specialist Teaching Credential in Reading (Ed. Code section 44254):
- ~~(vi)~~ 11. Clear Agricultural Specialist Instruction Credential (Section 80068):
- ~~(vii)~~ 12. Designated Subjects Special Subjects Teaching Credential (Section 80037):
- ~~(viii)~~ 13. Designated Subjects Supervision and Coordination Credential (Section 80038):
- ~~(ix)~~
14. Crosscultural, Language and Academic Development (CLAD) Certificate or English Learner Authorization (Section 80015):
- ~~(x)~~ 15. Special Teaching Authorization in Health for School Nurse credential (Section 80050):
- ~~(xi)~~ 16. Special Class Authorization for Speech-Language Pathology for Speech-Language Pathology Services Credential (Section 80048.9.4)
- ~~(xii)~~ 17. School Child Welfare and Attendance Authorization (Section 80049).

~~(D) (E)~~ Notwithstanding the flat fees in sections (A)(B) and (C) of 80692(a)(2) that shall be applied to student teaching pathways, programs proposing internship pathways proposing internship pathways shall be assessed an additional \$500. Initial Program Review: A flat fee of \$500 shall be assessed for each multiple, single, and Education Specialist internship program.

~~(D) (E)~~ (F) 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 (a)(1).

~~(b)~~ (2) 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)~~ (A) Focused site visit: \$1,000 for each individual attending the focused site visit.
- ~~(2)~~ (B) Late reviews: \$500 per ~~document~~ submission.
- ~~(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)~~ ~~(a)~~ (C) Stipulations:
- ~~(A)~~ 1. Site revisit: \$1,000 per individual attending the site revisit.
- ~~(B)~~ 2. 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 as detailed in the *Accreditation Handbook*, Chapter Nine, Activities during the Seventh Year of the Accreditation Cycle (Rev. 2012), hereby incorporated by reference: \$500 flat fee.
- ~~(C)~~ 3. 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): 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~~(b)~~, 44371, 44372, 44373~~(c)~~, 44374 and 44374.5, Education Code.