

Division VIII of Title 5 of the California Code of Regulations

Proposed Amendments Pertaining to Administrative Services Credential

Notice of Proposed Rulemaking

The Commission on Teacher Credentialing (Commission) proposes to amend the regulatory action described below after considering all comments, objections and recommendations regarding the proposed action.

Public Hearing

A public hearing on the proposed actions will be held:

December 7, 2012

8:30 a.m.

Commission on Teacher Credentialing

1900 Capitol Avenue

Sacramento, California 95811

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by email on the proposed action. The written comment period closes at 5:00 p.m. on December 3, 2012. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 322-0048; write to the Commission on Teacher Credentialing, attn. Terri H. Fesperman, 1900 Capitol Avenue, Sacramento, California 95811; or submit an email at tfesperman@ctc.ca.gov.

Any written comments received 15 days prior to the public hearing will be reproduced by the Commission for each member of the Commission as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing. Written comments received after that date and up to December 6, 2012 will be presented to the Commission prior to the public hearing.

Authority and Reference

Pursuant to the authority vested by Education Code section 44225, and to implement, interpret or make specific sections 44270 and 44270.1 of the Education Code, the Commission is proposing amendments to section 80054 in Title 5 of the California Code of Regulations (CCR).

Informative Digest/Policy Statement Overview

Summary of Existing Laws and Regulations

The proposed amendments to Title 5 of the CCR will clarify and interpret the Education Code (EC) sections pertaining to the requirements for California-prepared candidates seeking Administrative Services Credentials in California.

Title 5 section 80054 contains the requirements for an Administrative Services Credential and was last amended in May 2000. Since May 2000, several pieces of legislation affecting the issuance of Administrative Services Credentials to California and out-of-state prepared administrators have been enacted. This includes:

- 1) Addition of an examination option for both the preliminary and clear credential (currently an examination has only been approved by the Commission for the preliminary credential) in SB 1655 (Chap. 225, Stats. 2002);
- 2) Two additional options to meet the clear credential requirements (Mastery of Commission Accredited Fieldwork Performance Standards and Administrator Training Program) in SB 1655 (Chap. 225, Stats. 2002); and
- 3) Separate specific requirements for administrators prepared out-of-state were established in AB 877 (Chap. 703, Stats. 2000) in 2001.

The specific and distinct requirements set forth in the Education Code for administrators prepared outside of California require that current regulatory language be deleted from Title 5 section 80054. The Commission may continue to issue Administrative Services Credentials for out-of-state prepared Administrators based on the current Education Code.

In addition, portions of the regulations need to be updated due to changes in regulations and statutes:

- 1) Delete the term ‘professional’ from the ‘professional clear’ due to changes in Education Code section 44277 in 2007;
- 2) Update the California Basic Skills Educational Skill Test (CBEST) to the Basic Skills Requirement as specified in Education Code section 44252;
- 3) Update the list of prerequisite credentials to include the new title of Teacher Librarian Services Credential and the new Speech-Language Pathology Services Credential;
- 4) Update the wording for the valid period of the credential; and
- 5) Align the ‘employing agency’ definition with other sections of regulations.

Finally, changes to the regulations are proposed to address the recommendations made by the Administrative Services Credential Panel that were approved by the Commission:

- 1) Requiring an individual to hold a clear or life prerequisite credential; and
- 2) Increasing the number of years of experience to earn the preliminary credential.

Proposed Amendments

The Administrative Services Credential Advisory Panel was appointed by the Executive Director to study of the preparation of leaders for California schools. The major purpose of the panel’s work was to review the content, structure and requirements for administrator preparation to ensure that these remain appropriate to the needs of administrators serving in California schools today.

The panel’s recommendations were presented to and approved by the Commission in December 2011 and staff was directed to propose regulatory changes to reflect the approved recommendations. The main changes focus on the experience and prerequisite credential requirements for the Preliminary credential and ensuring that California has effective leaders serving in administrative positions.

Experience Requirement

The primary change in the proposed regulations concerns the number of years of experience required to earn the Preliminary credential. The Commission believes that previous experience in schools is a significant component in the readiness of a potential educational leader.

Support for increasing the number of years of experience required for the credential is based on the rationale that three years of experience is insufficient for a beginning administrator in today's schools. Additional experience will allow the candidate to gain critical knowledge of the education profession and requisite leadership skills. Specifically, for most teachers completion of an induction program, which is usually a two-year program, is required before the clear credential is earned. Under the current structure, the teacher would need only one additional year of classroom experience to meet the experience requirement for a preliminary administrative services credential. Holders of other prerequisite credentials also need additional time serving in their new authorization to gain experience prior to taking on a new role as an administrator and gain the expertise to become the instructional leader of a school.

With the increasing complexity of the administrator role in public schools, administrators are intently focused on instructional leadership and improvement of student academic outcomes. A new administrator with only three years of experience does not have enough background to serve effectively in the ever-changing administrator role. Meaningful learning happens in context and three years is not sufficient to gain the value added special skills to serve as an administrator.

Administrators provide leadership in education settings. They function at the site level as principal and vice principals and at the district and county level as coordinators, department heads and superintendents. Administrators perform a wide array of tasks, depending in part on their particular job title, but also on the size and structure of the district. Examples of those tasks include providing technical support, conducting certificated and classified staff evaluations, leading the personnel division, developing and supporting instruction and curriculum, providing and interpreting data analyses, disciplining students, certificated staff and classified staff, organizing and conducting professional development, supporting special education assessment and programs, making certain schools are clean and well-maintained, coordinating alternative and bilingual education programs, managing categorical funds, coordinating school safety programs, and representing the school or district to the public.

Principals are critical for school reform efforts including changes to climate, culture, and student achievement and that they accomplish these efforts through both direct and indirect means. Principals are fundamental for establishing a common school vision that anticipates reform efforts will take multiple years and facilitates development of a common school culture that reflects high expectations for student growth (The Center for the Future of Teaching and Learning, 2011). Principals can utilize several "...key 'avenues of influence:' people, purposes and goals of the school, structure of the school and social networks, and organizational culture." (Hallinger & Heck, 1996)

For example, teacher retention increases when the school principal is committed to staying and working through challenges. Establishing common school values takes time and changes in school leadership derail schools' reform efforts, particularly if teacher retention is also low. The Texas Project reported that, on average, elementary school principals stay 5 years while high school principals stay only 3.8 years. (Texas High School Project Leadership Initiative, Fuller

and Young, Summer 2009). Despite principals' knowledge and skills, demographic and fiscal challenges further complicate their capacity to be effective. These challenges can intersect causing changes in student to staff ratios. Requiring the additional years of experience before an individual may earn the preliminary administrative services credential should lead to a higher number of administrators who stay in their positions beyond the first few years as an administrator.

For holders of prerequisite services credentials, while not required to complete an induction program, three years of experience as a counselor, speech therapist, or school nurse is not sufficient to meet the needs to serve as a beginning administrator. Additional time serving in their new authorization is necessary to gain experience prior to taking on a new role as an administrator. The holder of a Teacher Librarian Services Credential is required to hold a prerequisite teaching credential.

Prerequisite Credential

In conjunction with the proposed change to increase the number of years of experience, the Commission approved the recommendation from the Administrative Services Advisory Panel to amend the regulations to allow for the holder of a clear or life credential as the appropriate prerequisite credential. The preliminary credential would not be an appropriate prerequisite. An individual holding both preliminary teaching/services and administrative credentials has trouble earning both clear credentials as the requirements are different and require serving in each credential area to earn the clear credential. It is rare that an individual would be employed in simultaneous teaching/service and administrative positions. It creates a no-win situation for the preliminary teaching or services credential that does not allow for successful achievement as one of the preliminary credentials will expire, possibly causing an individual to have to quit one job to finish the requirements for the second preliminary credential.

If all administrators were required to hold the clear or life teaching or services prerequisite credential prior to earning the preliminary administrative credential, it would allow the individual to first focus on earning the clear teaching or services credential. Then the individual could turn their focus to the requirements for the clear administrative services credential while also learning how to be an effective administrator. The new administrator would be able to focus on the first years as an administrator and completing the requirements for the clear administrative credential.

Anticipated Benefits from the Proposed Regulations: The proposed regulations will promote fairness and prevent discrimination by ensuring uniformity in certification requirements for California prepared individuals seeking Administrative Services Credentials.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations: The Commission has determined that the proposed regulations 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 the issuance of Administrative Services Credentials to California prepared individuals.

Documents Incorporated by Reference:

Administrative Services Credentials Program Standards (revised 9/11)

<http://www.ctc.ca.gov/educator-prep/STDS-prep-program.html>.

The Commission on Teacher Credentialing awards credentials and certificates on the basis of completion of programs that meet Standards for Educator Preparation and Educator Competence. For each type of professional credential in education, the Commission has developed and adopted standards which are based upon recent research and the expert advice of many professional educators. Each standard specifies a level of quality and effectiveness that the Commission requires from programs offering academic and professional preparation in education. There are different types of program standards.

Preconditions

Preconditions are requirements that must be met in order for an accrediting association or licensing agency to consider accrediting a program sponsor or approving its programs or schools. Some preconditions are based on state laws, while other preconditions are established by Commission policy. Preconditions can be found within each program's standards document.

Common Standards

The Common Standards deal with aspects of program quality that cross all approved educator preparation programs. The institution responds to each Common Standard by providing pertinent information, including information about individual programs. When a new program is proposed, the institution submits a Common Standards Addendum to address how the new program will integrate with the already approved programs.

Educator Preparation Program Standards

Program standards address aspects of program quality and effectiveness that apply to each type of educator preparation program offered by a program sponsor. Program standards contain statements describing the nature and purpose of each standard and language that details the requirements that all approved programs must meet. Program sponsors must meet all applicable program standards before the program application may be approved by the Commission.

Documents Relied Upon in Preparing Regulations:

Recommendations approved by the Commission at the November and December 2011 meeting

<http://www.ctc.ca.gov/commission/agendas/2011-11/2011-11-5B.pdf>

<http://www.ctc.ca.gov/commission/agendas/2011-12/2011-12-5A.pdf>.

Exploring the Principal's Contribution to School Effective: 1980 -1995 (Phillip Hallinger and Ronald H. Heck)

http://www.philiphallinger.com/papers/SESI_review_reprint.pdf (page 171)

The Center for the Future of Teaching and Learning, 2011

<http://www.cftl.org/documents/2011/schoolleadership.pdf> (pages 4-6)

Tenure and Retention of Newly Hired Principals in Texas (Ed Fuller and Michelle D. Young)

http://www.ucea.org/storage/principal/IB%201_Principal%20Tenure%20and%20Retention%20in%20Texas%20of%20Newly%20Hired%20Principals_10_8_09.pdf

Economic Impact Assessment – Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Administrative Services Credential

Disclosures Regarding the Proposed Actions

The Commission has made the following initial determinations:

Mandate to local agencies or school districts: None.

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

Cost or savings to any state agency: 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 has made an assessment that the proposed amendments to the regulations will not (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California. The proposed regulations will not benefit nor adversely affect the health and welfare of California residents, worker safety, or the State's environment.

Effect on small businesses: The proposed regulations will not have a significant adverse economic impact upon business since they apply only to the requirements for Administrative Services Credentials for service in California's public schools.

Anticipated Benefits from the Proposed Regulations: The proposed regulations will promote fairness and prevent discrimination by ensuring uniformity in certification requirements for California prepared individuals seeking Administrative Services Credentials.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations: The Commission has determined that the proposed regulations 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 the issuance of Administrative Services Credentials to California prepared individuals.

Consideration of Alternatives

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 as and less

burdensome to affected private persons than the proposed actions, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. No reasonable alternatives have yet been proposed to or considered by the Commission, as the regulations do not affect small businesses. In addition, no alternatives have yet been proposed that will be less burdensome and equally effective.

Contact Person/Further Information

General or substantive inquiries concerning the proposed action may be directed to Terri H. Fesperman by email at tfesperman@ctc.ca.gov, by telephone at (916) 323-5777 or Terri H. Fesperman, Commission on Teacher Credentialing, 1900 Capitol Avenue, Sacramento, CA 95811. General question inquiries may also be directed to Tammy Duggan at (916) 323-5354 or at the address provided in the previous sentence. 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 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 address provided in the previous paragraph. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the proposed text of regulations, and the initial statement of reasons.

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. When it is available, it will be placed on the Commission's website at www.ctc.ca.gov or you may obtain a copy by contacting Terri H. Fesperman at (916) 323-5777.

Availability of Documents on the Internet

Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of the regulations in underline and strikeout can be accessed through the Commission's website at www.ctc.ca.gov.