

Division VIII of Title 5 of the California Code of Regulations
Proposed Amendments to Title 5 of the California Code of Regulations
Pertaining to the Single Induction Experience for New Teachers

Initial Statement of Reasons

Rationale for Proposed Regulations

Education Code section 44225 authorizes the Commission to adopt the proposed regulations. The proposed regulations implement, interpret, and make specific Education Code sections 44225(a)(1)(B), 44259, and 44259.5 pertaining to induction programs for beginning teachers.

This rulemaking action proposes amendments to sections 80048.8, 80048.8.1, and 80413 of Title 5 of the California Code of Regulations (CCR) related to providing a single induction experience for new teachers as approved by the Commission at the December 2017 meeting and section 80523 to provide updates to sections of regulations related to these changes regarding how educators qualify for an extension of time to a credential.

General Provisions:

In October 2016 the Commission, as part of strengthening and streamlining the accreditation process, adopted a [unitary set of program standards that governs induction for both general education and special education teachers](#). In doing so, the Commission recognized that a high quality, job embedded mentoring program is the most effective means of delivering support and assistance to new teachers regardless of credential area.

When the Commission adopted the single set of Teacher Induction Program Standards, [PSA 17-01: Commission Adoption of Teacher Induction Preconditions and Program Standards](#) was distributed to advise that all Teacher Induction programs must submit a Transition Plan in implementing these standards by the specified dates as shown in the table below:

| Type of Induction Program | Transition Plan Due | Must Transition to New Standards |
|----------------------------------|----------------------------|---|
| General Education | June 30, 2016 | September 1, 2017 |
| Special Education | April 17, 2017 | September 1, 2018 |

The Commission, through the adoption of the Teacher Induction standards, established the policy that an educator earning a teaching credential should only need to complete one induction experience. The proposed amendments to regulations would support the standards by creating a pathway for educators that does not currently exist. The proposed amendments would allow an educator who already holds a clear credential in one area, such as general education, to be granted a clear credential in a different credential area, such as special education, upon completion of the appropriate preliminary teacher preparation program without being required to undergo the extra time and any related expense to complete an additional induction experience for the new credential area.

General Rationale for the Proposed Addition of Subsections (d), (e), and (f) of §80523:

In addition, the proposed amendments provide updates to the section of regulations regarding how educators qualify for an extension of time to a credential.

AB 2210 (Chap. 343, Stats. 2004) that took effect on August 30, 2004 specifies that California-prepared general education teachers are required to complete a Commission-approved induction program to establish their academic eligibility for a clear credential. Section 80413 was amended in 2009 in response to AB 2210 to allow individuals who may not have been employed during the valid dates of their preliminary general education teaching credential additional time to complete an approved induction program. Commission-approved induction programs are designed as two-year programs. Two extensions were created in 2009, depending on the length of time an individual was employed in an induction-eligible teaching position and their employment/enrollment status at the time the extension is requested:

- 1) Three-year extension for individuals employed in an induction-eligible teaching position for one year or less who are not so employed at the time their preliminary credentials expire (one year to find an induction-eligible teaching position and two years to complete the program); and
- 2) Two-year extension for individuals who are employed in an induction-eligible teaching position and enrolled in an approved induction program at the time their preliminary credentials expire.

Several statutory and regulatory changes have occurred since 2009 that now require almost all holders of preliminary teaching credentials to complete a Commission-approved induction program in order to establish their academic eligibility for their clear credentials.

The first was SB 1209 that requires out-of-state credentialed teachers with less than two years of out-of-state teaching experience [reference subsection (d)(2) of EC section 44274.2] and all out-of-country credentialed teachers [reference subsection (d)(7) or EC section 44275.4] to complete a Commission-approved induction program, in addition to other requirements, to earn the clear credential. The provisions of SB 1209 apply to general education and special education teachers.

Amendments to the following Title 5 sections took effect on June 26, 2010 that changed the structure of Education Specialist Instruction Credentials issued on the basis of programs completed in California:

80048.3: Added language that established 12/31/11 as the sunset date for enrollment in a Level I program and 1/31/13 as the sunset date for completion of the Level I program.

80048.4: Added language that established 12/31/14 as the sunset date for enrollment in a Level II program and 1/31/19 as the sunset date for completion of the Level II program. This section only pertains to individuals who hold Level I credentials.

80048.8: New section added that created the preliminary Education Specialist Instruction Credential for California prepared special education teachers.

80048.8.1: New section added that requires completion of a Commission-approved induction program as one of the requirements for a clear Education Specialist Instruction Credential. Includes language that allows holders of Level I credentials the option of completing an approved induction program in lieu of a Level II program.

Since all individuals who hold preliminary or Level I teaching credentials, except out-of-state credentialed teachers with two years of experience, are now required to complete an approved induction program for the clear credential, the amendments propose moving the two-year and three-year extension language from section 80413 that only pertains to California prepared general

education teachers to section 80523 to allow for issuance of the extensions to any teacher holding a credential that requires completion of a Commission-approved induction program.

The proposed amendments also include:

- 1) the cleanup of language related to NCLB requirements now outdated with the signing of the Every Student Succeeds Act (ESSA),
- 2) removal of references to fifth year or clear credential programs which have now transitioned to teacher induction programs,
- 3) proposed update and relocation of subsections related to extensions for credentials to section 80523, and
- 4) added language that allows the use of a baccalaureate degree in professional education toward meeting the requirements for the Multiple Subject Teaching Credential, as provided in Education Code §44225(a)(1)(B).

Summary of Proposed Amendments

§80048.8

(a)(4)(B): Change the “i” to a “j” to correct the spelling of the word “subject.”

(a)(D)(10): Delete the phrase “Individualized Induction Plan (IIP)” and add the phrase “Induction Individual Learning Plan (ILP)” to correctly reflect the requirements to be met for the clear credential under the revised standards adopted by the Commission.

(c)(1): Delete the acronym “IIP” and add the acronym “ILP” to reference the definition provided in §80048.8.1(e)(1). Delete the reference to subsection (d) and add reference to subsection (e) to reflect the adjusted order of items in §80048.8.1.

§80048.8.1

(a)(2): Delete the paragraph in this subsection and replace it with “Enrollment in and successful completion of the mentor supported ILP based requirements in an approved Teacher Induction Program.”

This change reflects the revised Induction Preconditions and Standards, that each Induction professional learning be a two-year, individualized job-embedded system of mentoring, support and professional learning that begins in the teacher’s first year of teaching. This added emphasis in the program assures a higher standard of support to help improve the effectiveness of new teachers in the classroom.

(a)(2)(A) – (a)(2)(C): Delete these subsections that refer specifically to the IIP as it has been replaced by the Individual Learning Plan (ILP), as defined in §80048.8.1(e)(1).

(a)(2)(D): Change this from subsection (a)(2)(D) to (a)(2)(A) to reflect the deletion of the subsections above. Delete the phrase “Individualized Induction Plan (IIP)” and add the phrase “Individual Learning Plan (ILP)” to reference the definition provided in §80048.8.1(e)(1). Add the phrase “as is applicable to the candidate’s assignment and induction participation.”

This change reflects the replacement of the IIP with the ILP in the Induction Standards. The ILP as defined in §80048.8.1(e)(1) is designed to comprehensively document the teacher candidates' growth and learning during the induction experience. The ILP is more tailored to the needs of the individual based upon the teacher's credential type and job assignment to provide a high level of mentoring and support so that the beginning teacher is helped to develop enduring professional skills.

(c): Addition of this paragraph clarifies that the requirements of the teacher induction program may be applied to both general and special education teaching credential types. The 2016 Teacher Induction Program Standards apply to both general education and education specialist candidates and contain an Individual Learning Plan (ILP). The previous Individualized Induction Plan (IIP) was only part of the Education Specialist Induction program. Therefore, through the ILP it is not necessary for educators to undergo the extra time or expense of completing separate induction programs for each credential type. Completion of the teacher induction program may be used to qualify an educator for either clear teaching credential type.

(d): Change this subsection from (c) to (d) due to the addition of the new subsection (c) and to maintain the logical order of the section.

(d)(1): Proposed adding "and (c)" to allow for new subsection (c).

(e): Change this subsection from (d) to (e) due to the addition of the new subsection (c) and to maintain the logical order of the section. Add "s" to "Definition" since more than one definition is now in this subsection.

(e)(1): Delete the information that refers to and defines the IIP and replace it with the revised information that defines the ILP. This change reflects the replacement of the IIP with the ILP in the revised Induction Standards adopted by the Commission. The ILP as defined in §80048.8.1(e)(1) is designed to comprehensively document the teacher candidates' growth and learning during the induction experience. The ILP is better tailored to the needs of the individual based upon the teacher's credential type and job assignment to provide a high level of mentoring and support so that the beginning teacher is helped to develop enduring professional skills.

(e)(2): Add this subsection to provide a definition of a teacher induction program for clarity as what this phrase is understood to mean was not previously defined in this section.

§80413

(a)(1): Delete the phrase "except in professional education," including deletion of the offsetting commas to correct the grammar of the sentence. Assembly Bill 170 (Chap. 123, Stats. 2017) amended Education Code (EC) §44225 to allow an educator holding a baccalaureate degree in professional education to enroll in a California teacher preparation program and be recommended by a Commission-approved program sponsor for a Multiple Subject Teaching Credential. This amendment did not include those seeking the Single Subject Teaching Credential so the phrase "For the single subject credential candidate, the degree earned shall not be in professional education" has been added to make that distinction.

(b)(2): Delete “Effective August 30, 2004,” and “If a beginning teacher is eligible for induction but an employing agency verifies that induction is not available or the employing agency verifies that the beginning teacher is required under the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) to complete subject matter course work to be qualified for a teaching assignment, the beginning teacher may complete a Commission-accredited fifth year program.”

With the passage of the Every Student Succeeds Act (ESSA), any previous requirements based on No Child Left Behind (NCLB) are no longer applicable. In addition, at the December 2015 meeting, the Commission adopted new induction standards that now require all induction and clear credential programs meet the same standards. As a result, no longer are any programs called fifth year clear credential programs but all have transitioned to the teacher induction program, which is now the available route for preliminary credential holders to obtain the clear credential. Delete “c” and add “C” to correct the grammar of the sentence.

(b)(7): Add the phrase “a Commission-approved teacher induction program.” Delete the phrase “either (A) or (B) below:” as there are no longer any options other than the Commission-approved teacher induction program through which the clear teaching credential can be applied for and issued. Now that all Induction and Clear Credential programs have been required to meet the same standards, no longer are any programs called fifth year clear credential programs as they have transitioned to the teacher induction program, which is now the available route for preliminary credential holders to obtain the clear credential.

(b)(7)(A): Delete this subsection as this language has been added to (b)(7) since it is the only available option.

(b)(7)(B): Delete this subsection as no longer applicable, as stated in the rationale for (b)(7).

(c): Addition of this new subsection (c) clarifies that the requirements of the teacher induction program may be applied to both general and special education teaching credential types. The 2016 Teacher Induction Program Standards apply to both general education and education specialist candidates and contain the Individual Learning Plan (ILP). The Individualized Induction Plan (IIP) was only in the Education Specialist Induction program. Therefore, through the ILP it is not necessary for educators to undergo the extra time or expense of completing separate induction programs for each credential type. Completion of the teacher induction program may be used to qualify an educator for either clear teaching credential type.

(d): Addition of this new language to subsection (d) clarifies that the requirements of the teacher induction program may be applied to both general and special education teaching credential types. The 2016 Teacher Induction Program Standards apply to both general education and education specialist candidates and contain the Individual Learning Plan (ILP). The Individualized Induction Plan (IIP) was only in the Education Specialist Induction program. Therefore, through the ILP it is not necessary for educators to undergo the extra time or expense of completing separate induction programs for each credential type. Completion of the teacher induction program may be used to qualify an educator for either clear teaching credential type.

Proposes the relocation with amendments of the two-year extension language in the current subsection (d) to section 80523. Since all individuals who hold preliminary or Level I teaching credentials, except out-of-state credentialed teachers with two years of experience, are now required to complete an approved induction program for the clear credential, the amendments propose moving the two-year extension language from section 80413 that only pertains to California prepared general education teachers to section 80523 to allow for issuance of these extensions to any teacher holding a credential that requires completion of a Commission-approved induction program.

(e): Change this subsection from (c) to (e) due to the addition of the new subsections (c) and (d) and to maintain the logical order of the section. Delete the phrase “with an issuance date on or after August 30, 2004”. Previously, candidates for the clear credential who received their preliminary credential prior to August 30, 2004 had the option to complete either a Commission-approved induction program or a Commission-approved fifth year program to qualify for the clear credential. To provide uniformity in the standards, preparation and support provided to all teachers, fifth year clear credential programs have transitioned to the teacher induction program, which is now the route to be used by preliminary credential holders seeking to obtain the clear credential. Thus, the requirements in subsection (b)(2) to complete a teacher induction program now apply to all preliminary credential candidates seeking the clear credential regardless of the issuance date of the preliminary credential.

Add the phrase “with the exception of those qualifying under subsections (c) and (d).” Credential candidates qualifying for a clear teaching credential under these routes have already met the requirements listed in subsection (b)(2) for a previously issued credential and are not required to repeat them to earn a new credential type.

Proposes the relocation with amendments of the three-year extension language in the current subsection (e) to section 80523. Since all individuals who hold preliminary or Level I teaching credentials, except out-of-state credentialed teachers with two years of experience, are now required to complete an approved induction program for the clear credential, the amendments propose moving the three-year extension language from section 80413 that only pertains to California prepared general education teachers to section 80523 to allow for issuance of these extensions to any teacher holding a credential that requires completion of a Commission-approved induction program.

(f): Delete the “s” in the word “Definitions” since now there is only one.

(f)(1): Proposes the relocation with amendments of the definitions in this subsection to section 80523 as these terms regarding employing agencies relate directly to eligibility to obtain an extension of time on a credential or permit.

(f)(2): Proposes renumbering this section to (f)(1) with the removal and relocation of the definition provided in the current subsection (f)(1).

§80523(a) Proposes the deletion of the following Education Code references for the reasons provided:

44253: This section was repealed by Senate Bill (SB) 1104 (Chap. 576, Stats. 2008).

44277: This section used to allow for the extension of a professional clear credential for individuals who did not complete the professional growth and successful service renewal requirements. SB 1209 (Chap. 517, Stats. 2006) changed the term of teaching and services credentials from “professional clear” to “clear.” Amendments to this section deleted all language related to the professional growth and successful service renewal requirements, as well as the reference to the extension related to those requirements.

44279: This section was repealed by SB 1209.

Proposes the addition of the following Education Code references for the reasons provided:

44260: SB 1104 amended the term for preliminary designated subjects career technical education teaching credentials from five years to three years. Proposes the addition of this section as a reference, as the three-year term differs from the five-year term specified in section 44251 for all other preliminary credentials.

44260.2: Assembly Bill 1374 (Chap. 36, Stats. 2010) amended the term for preliminary designated subjects adult education teaching credentials from five years to three years. Proposes the addition of this section as a reference, as the three-year term differs from the five-year term specified in section 44251 for all other preliminary credentials.

44325: SB 1657 (Chap. 673, Stats. 1994) amended this section to allow for issuance of a special education district intern credential with a term of three years or four years if the holder is in a program that will lead to issuance of a general education and special education credential. Proposes the addition of this section as a reference, as the three- or four-year term for the special education district intern credential differs from the two-year term specified in section 44251 for all other intern credentials and because it grants the Commission the authority to issue extensions on district intern credentials.

44455: Proposes the addition of this section as a reference, as it grants the Commission the authority to issue extensions on university intern credentials.

An individual who does not satisfy the renewal requirements associated with a credential or permit in the time allowed (two to five years, depending on the type of credential held) may request an extension of time. In addition, an individual issued an extension on a credential is expected to make significant progress toward completion of the renewal requirements following issuance of the extension. The amendments propose the addition of the term “one-year” to clarify that the extensions issued pursuant to subsection (a) are issued in one-year increments. In conjunction with the language in subsection (c) [previously subsection (b)], issuing extensions for one year at a time allows Commission staff to ensure the holder is making progress on his/her renewal requirements.

The word “an” that prefaces “extension” has been amended to “a” for grammatical purposes due to the proposed addition of “one-year.”

(b): Proposes new language for this subsection that details the documentation that must be submitted with each application for an extension.

(c): Re-lettered due to the proposed addition of the new language in subsection (b). Also proposes the addition of language to clarify that the possibility for a subsequent extension only applies to the

extensions in subsection (a). This clarification is required due to the proposed addition of new subsections that allow for two-year and three-year extensions for specified credential types. The word “These” at the beginning of the subsection has been amended to “The” for grammatical purposes.

(d): Proposes the relocation of the two-year extension language from subsection (d) of section 80413 with slight amendments to clarify that the extension may be issued only once; adds “preliminary or Level I teaching” throughout before all references to “credential” and “that requires completion of a Commission-approved teacher induction program” to the initial sentence to specify the types of credentials that are eligible for a two-year extension. Also changes the term “clear credential program” to “teacher induction program” throughout the section since all programs, whether offered by an employing agency, college, or university, are now induction programs.

The proposed language does not include the language that was previously included in subsection (d)(3) of section 80413, as an individual may only be issued one two-year extension. Teacher induction programs are two-year programs and individuals should be able to complete the program during the valid dates of the two-year extension. Those who can demonstrate good cause for not completing the induction program during the valid dates of the two-year extension may apply for a one-year extension under the provisions of subsection (a).

(e): Proposes the relocation of the three-year extension language from subsection (e) of section 80413 with the addition of “preliminary or Level I teaching” throughout before all references to “credential” and “that requires completion of a Commission-approved teacher induction program” to the initial sentence to specify the types of credentials that are eligible for a three-year extension. Also changes the term “clear credential program” to “teacher induction program” throughout the section since all programs, whether offered by an employing agency, college, or university, are now induction programs.

(f): Proposes the relocation of the definitions for the terms associated with the two-year and three-year extensions from subsection (f) of section 80413.

(f)(1): Amendments to the relocated language include the addition of language to subsection (f)(1) to clarify that all the entities included in the definition of “employing agency” must be located in California. The language currently provided in subsections (f)(1)(A) through (E) clearly requires employment in California, but the language in subsections (f)(1)(F) through (H) does not specify that the employing agency must be in California. Under the current language, the Commission could issue a two-year or three-year extension to an individual employed in a private school located in another state, but could not issue such an extension to an individual employed in a public school located in another state.

(f)(2): Provides the updated definition for “Commission-approved teacher induction program.” The definition currently included in subsection (f)(3) of section 80413 is outdated since all programs, whether offered by an employing agency, college, or university, are now induction programs.

The definition for “beginning teacher” that is currently included in subsection (f)(2) of section 80413 is not proposed here because that term is not used anywhere in section 80523.

Documents Relied Upon in Preparing Regulations:

February 2016 Commission agenda item 3D:

December 2017 Commission agenda item 3D:

Teacher Induction Program Preconditions and Program Standards – October 2016

Economic Impact Assessment/Analysis

Education Code section 44225 authorizes the Commission to adopt the proposed regulations.

The proposed regulations implement, interpret, and make specific Education Code sections 44225(a)(1)(B), 44259, and 44259.5 pertaining to induction programs for beginning teachers.

The purpose of the proposed regulations is as follows:

- provide added clarity to regulations by including a specific definition for the term induction program
- open a pathway for educators that currently does not exist to allow the holder of a clear general education credential who completes a preliminary education specialist program to apply directly for the clear Education Specialist Credential without being required to undertake the extra time or expense of completing a separate induction program for the new credential type; also to allow the same option from the clear Education Specialist Credential to a general education credential
- add to regulations the provision to use a baccalaureate degree in professional education to meet the degree requirement for Multiple Subject Teaching Credential candidates per Education Code 44225(a)(1)(B)
- cleanup of outdated terms related to NCLB requirements outdated with the signing of the Every Student Succeeds Act (ESSA) and references to fifth year programs no longer offered.

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

Creation or Elimination of Jobs Within the State of California

The proposed amendments pertain to the requirements to obtain teaching credentials that authorize service in California’s public schools. The proposed amendments will not create or eliminate jobs in California.

Creation of New or Elimination of Existing Businesses Within the State of California

The proposed amendments pertain to the requirements to obtain teaching credentials that authorize service in California’s public schools. The proposed amendments will not create or eliminate existing businesses in California.

Expansion of Businesses or Elimination of Existing Businesses Within the State of California

The proposed amendments pertain to the requirements to obtain teaching credentials that authorize service in California’s public schools. As a result of the proposed amendments, no existing businesses in California will be expanded or eliminated.

Benefits of the Regulations

The Commission anticipates that the proposed amendments will benefit the welfare of students attending public schools in the State of California by assuring teachers through their induction programs will have completed the kind of comprehensive preparation, personal mentoring, and support required to be more fully prepared and equipped to provide meaningful instruction to all students in California public schools. The proposed regulations will promote fairness and prevent discrimination by ensuring uniformity in the level of preparation and requirements individuals must meet to obtain the clear teaching credential as all these programs adhere to the same set of standards. The Commission does not anticipate that the proposed regulations will result in the protection of public health and safety, worker safety, or the environment, the prevention of social inequity or an increase in openness and transparency in business and government.

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 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. 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.

Evidence Relied Upon to Support the Initial Determination That the Regulation Will Not Have a Significant Adverse Economic Impact on Business: The proposed regulations will not have a significant adverse economic impact upon business. The proposed regulations apply only to individuals seeking credentials that authorize service in California’s public schools.