

**Division VIII of Title 5 of the California Code of Regulations**  
**Proposed Amendments to Title 5 of the California Code of Regulations**  
**Pertaining to Cost Recovery Fees for Extraordinary Accreditation Activities**

**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 section 44374.5 pertaining to cost recovery fees for extraordinary activities.

This rulemaking action proposes amendments to sections 80691 and 80692 of Title 5 of the California Code of Regulations (CCR) related to cost recovery fees for extraordinary accreditation activities as approved by the Commission at the September 2018 meeting to provide updates to the sections of regulations related to cost recovery fees as a result of updates to the completed Strengthening and Streamlining of the Accreditation System project.

**General Provisions:**

The proposed regulations have been updated and rewritten for clarity and to align terminology and fee structure with the new changes to the accreditation system, including a fee for joint accreditation visits with other accrediting entities, removal of the in-kind process, removing obsolete fees, and general language cleanup.

*Articles Incorporated By Reference*

Currently, regulations have several chapters of the Commission's Accreditation Handbook incorporated by reference and interested parties have to consult both the regulations and the incorporated handbook chapters. The updates to the Accreditation System have necessitated updates to the Accreditation Handbook. In order to align terminology between the new system and proposed regulations all of the article incorporated by reference in the current regulations have been removed. The Commission believes this approach is more transparent and less burdensome on the readers. Rather than amending the current cost recovery sections with articles incorporated by reference, the Commission is proposing to amend the current accreditation fee regulations by providing greater detail and terminology alignment in the definitions section of the text and removing the articles incorporated by reference.

*Definitions Amendments*

The definitions section of the regulations has been updated to reflect the new accreditation system and eliminate language that no longer applies to the current system, as well as to clearly define the various types of accreditation team site visits and types of documentation that must be submitted throughout the accreditation cycle.

*Terminology Amendments:*

The definitions section of the regulations has been updated to reflect the new accreditation system and eliminate language that no longer applies to the current system, as well as to clearly define the various types of accreditation team site visits and types of documentation that must be submitted throughout the accreditation cycle.

*Fee Structure Amendments for Initial Program Review (IPR)*

Amendments to the regulations are being proposed due to the changes in the accreditation system and efforts to update and revise program standards. Currently, the cost recovery fee structure is based on the number of standards required for the submission of a new program. Since program standards have been streamlined and strengthened, the number of standards in a program is no longer indicative of the complexity of elements within the program standards or the efforts needed to review the program. Proposed amendments include categorizing standards based on the type of authorization that results from them (preliminary credential, clear credential, or added authorization) which provides the flexibility needed to continually improve standards without having to amend the fee structure or regulations.

*Fee Structure Amendments for Initial Institutional Approval (IIA)*

The previous flat fee of \$2,000 for IIA covered the review of preconditions and Common Standards as well as time consulting with prospective institutions and reviewing their documentation. In the previous IIA process, there was a single Commission decision point. However, the current IIA process is now much more rigorous and includes multiple stages for which documentation is submitted for review and action by the Commission. This new more rigorous review format requires a significant amount of additional staff time. Specifying the fees for specific IIA activities not only recovers the cost of staff time and reviewer's travel for these extraordinary accreditation activities, but it is more reflective of the various stages of the new system. Instead of a flat \$2,000 fee the new fee structure more appropriately reflects the work involved in providing assistance to institutions before during and after Accreditation 101, reviewing and approving the eligibility requirements, the Initial Program Review process. Finally, the proposed regulations allow for a \$1,000 per site visit team member for initial focused site visits for provisionally approved institutions. The Commission has historically charged \$1,000 per site visit team member for focused site visits, however the regulations did not explicitly explain the difference between an accreditation focused site visit for an institution already approved by the Commission and an initial focused site visit for a provisionally approved institution.

*Fee Structure Amendments for Joint Site Visits*

At the September 2017 Commission meeting the Commission approved adding a new fee for joint site visits with CAEP as a result of changes that CAEP made to their annual dues formula. CAEP's restructuring of their fees requires the Commission to pay dues which have increased \$2,500 per institution requesting a joint visit. Since joint visits are not a requirement of the accreditation system for the state of California the Commission approved adding the \$2,500 dues to the cost recovery regulations for institutions choosing to have a joint visit.

### *Deleted Fees*

The program assessment process has been replaced by program review and streamlined to have only one review session. For this reason, fees associated with more than three reviews are no longer necessary and are proposed to be deleted from the fee structure.

When the fee structure was initially created an in-kind payment process was allowed as a way to ease the financial burden of IPR. Approved institutions seeking a new program approval could pay in-kind by sending two Board of Institutional Review (BIR) trained members to the Commission to review two documents each. The in-kind payment option has not been utilized by very many institutions and staff are proposing eliminating the in-kind payment structure entirely.

### **Objectives and Anticipated Benefits of the Proposed Regulations**

The objective of the proposal is to amend the regulations that permit the Commission to continue to recover costs incurred for extraordinary accreditation activities, while bringing the regulations up to date and in alignment with the new accreditation process and improving the clarity of the regulatory language.

The Commission anticipates that the proposed amendments will benefit students attending public schools in the State of California by providing resources to perform the Commission's statutorily-mandated accreditation duties, thereby ensuring high quality educator preparation for the instruction of California K-12 public school students. Amendments will also provide a way for prospective institutions to pay their IIA fees as they move along, paying for services rendered rather than having to pay all IIA fees at the start of the approval process with the possibility of not completing the process successfully. Finally, interested parties will benefit by having a clearer set of regulations to refer to which aligns the terminology and process of the updated Accreditation System and no longer requires referencing secondary sources (articles incorporated by reference).

The proposed regulations will promote fairness and prevent discrimination by specifying that the cost recovery fees apply to all institutions offering or proposing to offer Commission-approved programs, regardless of agency type. The proposed regulations will also increase openness and transparency by clarifying the cost recovery fees associated with IIA, new program review and accreditation activities in excess of the regularly scheduled data reports, document reviews, and accreditation site visits.

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.

### **Summary of Amendments:**

The proposed amendments are presented in three ways. Table 1 shows the current fee and the proposed change, if any. Table 2 provides proposed changes with a detailed rationale for the

change. Table 3 provides the program category listing for the Initial Program Review fees. Additionally, Table 4 provides the calculations utilized for determining the structure of the fees.

**Table 1: Current Cost Recovery Fees and Proposed Changes**

Beyond Standard Accreditation Cycle Activities Education Code §44374.5	Comment/Brief Explanation	Current Cost Recovery Fee	Proposed Cost Recovery Fee
<b>Current: Initial Institutional Approval</b> <b>Proposed: Initial Institutional Approval</b> Review of IIA Eligibility Requirements Review of IIA Common Standards Review of IIA Preconditions Initial Focused Site Visit	Initial Institutional Approval (IIA) is the process used by the Commission to determine whether an institution that has not previously been approved to offer educator preparation leading to a license or certificate in California should be authorized to do so by the Commission. Previously, this process comprised of a review of program and Common Standards and one decision point by the Commission. At the request of the Commission, this process has been recently revised to be a multi-stage review process with several decision points by the Commission.	\$2,000	<b>Eligibility Requirements:</b> \$1,000 <b>Common Standards:</b> \$1,000 <b>Preconditions:</b> \$1,000 <b>Focused Site Visit:</b> \$1,000 per team member
<b>Current:</b> Initial Program Review: Programs responding to 12 or more standards <b>Proposed:</b> Initial Program Review: Category I Preliminary/Initial Preparation programs	Initial Program Review (IPR) is the process of determining whether to approve a new educator preparation program leading to a license, certificate, or authorization. IPR is restricted to Commission approved institutions, that is, those that have previously been approved through IIA. IPR is considered and acted upon by the Committee on Accreditation (COA). Previously, the fees for IPR was based on the number of standards of a credential area. As program standards were streamlined and strengthened, the number of standards in a program is no longer indicative of the complexity of the effort needed to review the program. Rather than base the fee structure on the number of standards for a credential area, it is proposed that it be based on the type of credential program. Credential programs have been arranged into three categories for programs with similar characteristics.	\$2,000	No changes
<b>Current:</b> Initial Program Review: Programs responding to 6-11 standards <b>Proposed:</b> Initial Program Review: Category II Second Tier Preparation programs	See IPR above.	\$1,500	No changes

<b>Beyond Standard Accreditation Cycle Activities</b> <b>Education Code §44374.5</b>	<b>Comment/Brief Explanation</b>	<b>Current Cost Recovery Fee</b>	<b>Proposed Cost Recovery Fee</b>
<b>Current:</b> Initial Program Review: Programs responding to fewer than 6 standards <b>Proposed:</b> Initial Program Review: Category III Added Authorization programs	See IPR above.	<i>\$1,000</i>	<i>No changes</i>
<b>Current:</b> In-kind payment for Initial Program Review <b>Proposed:</b> Eliminate in-kind payment option	Currently, in-kind is accepted in lieu of payment by an institution if an institution provides two Board of Institutional Reviewers (BIR) members to review two program documents. The proposed regulations would eliminate this option.	<i>In-kind payment</i>	<i>Eliminate</i>
<b>Current:</b> Focused Site Visit  <b>Proposed:</b> Focused Site Visit		<i>\$1,000 per team member</i>	<i>\$1,000 per team member</i>
<b>Current:</b> Late Document Reviews <b>Proposed:</b> Review of Late Submission of Accreditation Documentation	The Accreditation System requires that various documentation be submitted at various times during the seven year cycle. When documents fail to be submitted at the dedicated due dates, the Commission incurs additional staff time and expense particularly in coordinating additional reviews.	<i>\$500 per program</i>	<i>\$500 per document</i>
<b>Current:</b> Program Assessment Requiring More than 3 Reviews <b>Proposed:</b> Eliminate		<i>\$1,000</i>	<i>Eliminate Fee</i>
<b>Current:</b> Full Program Review during Site Visit as a result of not completing program assessment process <b>Proposed:</b> Modified fee for full program review for not completing required activities of the accreditation cycle	Full Program Review is required when the documentation was not submitted in time for a review prior to the site visit (in the past it was Program Assessment and in the new system it is Program Review) or that the documentation that was submitted raised significant questions about whether the program was aligned to the standards. In either case, it is determined that an additional review team member is needed to be entirely dedicated to conducting an in-depth review of the program.	<i>\$3,000 per program</i>	<i>\$1,000 per team member</i>

Beyond Standard Accreditation Cycle Activities Education Code §44374.5	Comment/Brief Explanation	Current Cost Recovery Fee	Proposed Cost Recovery Fee
<b>Current:</b> Not in regulations <b>Proposed:</b> Joint visitation fee with regional or national accrediting bodies	The Commission, in partnership with the Council for the Accreditation of Educator Preparation (CAEP), conducts joint accreditation visits with CAEP institutions seeking both state and national accreditation. Joint visits are site visits where review teams are comprised of reviewers appointed by both CAEP and by the Commission, some portions of the processes are merged while still meeting the individual needs of each accrediting body, and the process allows for both accrediting bodies to make accreditation findings. Joint visits allow for efficiencies in both the work of the Commission's accreditation visits and for the institution seeking accreditation.	<i>no fee</i>	<i>\$2,500</i>
<b>Current:</b> Site revisit fee <b>Proposed:</b> Site revisit fee		<i>\$1,000 per team member</i>	<i>No changes</i>
<b>Current:</b> Review of 7 <sup>th</sup> year report with no site revisit <b>Proposed:</b> Review of 7 <sup>th</sup> year report with no site revisit	Seventh Year reports with no site revisit are reports required to be submitted by institutions as a result of action taken by the COA that address specific findings of issues or concerns of the accreditation site visit team. Seventh year reports are required for institutions with stipulations, but can also be required for institutions without stipulations based on the COA's discretion.	<i>\$500</i>	<i>No changes</i>
<b>Current:</b> Review of 7 <sup>th</sup> year report associated with a site revisit <b>Proposed:</b> Review of 7 <sup>th</sup> year report associated with a site revisit	Seventh year reports associated with a site revisit are reports required to be submitted by institutions as a result of action taken by the COA that address specific findings or issues or concerns of the accreditation site visit team. A seventh year report associated with a site revisit is used to provide the site revisit team with information about the actions taken by the institution to address the stipulations and as a basis for the revisit.	<i>\$1,000</i>	<i>No changes</i>

**Table 2: Current Regulations with Proposed Amendments and Rationale**

Regulation	Proposed Amendment	Rationale
<b>§80691</b>		
§80691(a)	<p><i>Insert new definition: “Accreditation Documentation”</i></p> <p>Definition for “Board of Institutional Review member” <i>updated and relocated to §80691(d).</i></p>	<p>The former accreditation system and fee structure included specific types of documentation (biennial reports, program assessment, and 7<sup>th</sup> year reports). Some of these types of documentation are no longer included in the new accreditation system which now require four types of Accreditation Documentation that must be submitted throughout the seven year cycle. Definitions for the types of documentation have been added under §80691(a)(1)-(4).</p> <p>In the former system, different types of documents were reviewed differently and had different costs for non- or late submission. The new streamlined accreditation system has removed the need for most documentation to be reviewed multiple times and the fee structure needs to be aligned with the new system. Adding this definition makes the fee structure of the proposed regulations more clear.</p> <p>It is important to note that Accreditation Documentation is also required for Initial Institutional Approval (IIA). This cost recovery fee information is described in section 80692(a).</p>
§80691(a)(1)	<i>Insert new definition: “Annual data submissions”</i>	The definition for annual data submissions has been added to clarify the different types of Accreditation Documentation in the current system. Adding this definition makes the fee structure of the proposed regulations more clear. Fees related to annual data submissions can be found in §80692(b)(2).
§80691(a)(2)	<i>Insert new definition: “Common Standards responses”</i>	The definition for Common Standards responses has been added to clarify the different types of Accreditation Documentation in the current system. Adding this definition makes the fee structure of the proposed regulations more clear. Fees related to Common Standards responses can be found in §80692(a)(2)(A) for IIA and in §80692(b)(2) for currently approved programs.
§80691(a)(3)	<i>Insert new definition: “Preconditions responses”</i>	The definition for preconditions responses has been added to clarify the different types of Accreditation Documentation in the current system. Adding this definition makes the fee structure of the proposed regulations more clear. Fees related to preconditions responses can be found in §80692(a)(2)(B) for IIA and in §80692(b)(2) for currently approved programs.



Regulation	Proposed Amendment	Rationale
§80691(a)(4)	<i>Insert new definition: “Program Review Submission”</i>	The definition for Program Review Submission has been added to clarify the different types of Accreditation Documentation in the current system. Adding this definition makes the fee structure of the proposed regulations more clear. Fees related to program documents can be found in §80692(b)(2).
§80691(b)	<i>Definition removed: “Focused site visit”</i>	This definition was deleted and replaced by the term “Focused accreditation site visit” located in §80691(c)(2). The new accreditation system has five types of site visits and the term and definition needed to be amended and updated to bring the regulatory language up to date.
	<i>Insert new definition: “Accreditation System”</i>	This definition is being added, as “accreditation system” is a common term within this section.
§80691(c)	<i>Definition updated and relocated to §80691(g) for “Initial Institutional Approval”</i>	Relocated to maintain alphabetical order of definitions.
	<i>Insert new definition: “Accreditation team site visit”</i>	<p>To improve clarity, and at the recommendation of the Office of Administrative Law (OAL), the Commission is removing all of the Committee on Accreditation (COA) Accreditation Handbook chapters from the regulations as “articles incorporated by reference” and instead this definition has been inserted. This approach provides clear definitions without requiring the regulated public to review a secondary document.</p> <p>Education Code §44374(b) requires that the accreditation system include “well-trained accreditation teams.” This definition explains what an accreditation team site visit is, the purpose of it, and how the teams are composed.</p> <p>The Commission has five different types of accreditation team site visits as described in §80691(c)(1)-(5).</p>
§80691(c)(1)	<i>Insert new definition: “Standard accreditation site visits”</i>	Definition added to clarify between the different types of site visits. The cost recovery fees associated with each type of site visit varies and the definitions are necessary to make the fees in §80692 clear. There are currently no fees associated with a standard accreditation site visit, provided that the institution has complied with the requirements of the accreditation system.

Regulation	Proposed Amendment	Rationale
§80691(c)(2)	<i>Insert new definition: “Focused accreditation site visits”</i>	Definition added to clarify between the different types of site visits. The cost recovery fees associated with each type of site visit varies and the definitions are necessary to make the fees in §80692 clear. Fees associated with focused accreditation site visits are in §80692(b)(1).
§80691(c)(3)	<i>Insert new definition: “Initial focused accreditation site visits”</i>	Definition added to clarify between the different types of site visits. The cost recovery fees associated with each type of site visit vary and the definitions are necessary to make the fees in §80692 clear. Initial focused site visits are a new component of the revised accreditation system’s IIA process and occur for provisionally approved institutions. Fees associated with Initial focused accreditation site visits are in §80692(a)(2)(D).
§80691(c)(4)	<i>Insert new definition: “Accreditation site revisits”</i>	Definition added to clarify between the different types of site visits. The cost recovery fees associated with each type of site visit varies and the definitions are necessary to make the fees in §80692 clear. Fees associated with accreditation site revisits are in §80692(b)(4)(A).
§80691(c)(5)	<i>Insert new definition: “Joint accreditation site visits”</i>	Definition added to clarify the difference between the different types of site visits. The cost recovery fees associated with each type of site visit varies and the definitions are necessary to make the fees in §80692 clear. Fees associated with joint accreditation site visits are in §80692(b)(3).
§80691(d)	<i>Definition updated and relocated to §80691(h) for “Initial Program Review”</i>	Relocated to maintain alphabetical order of definitions.
	<i>Updated and relocated: Definition for “Board of Institutional Review member”</i>	To improve clarity the Commission is removing all of the COA Accreditation Handbook chapters from the regulations as “articles incorporated by reference” and instead, this definition has been updated to provide a clear definition without requiring the regulated public to review a secondary document.
§80691(e)	<i>Definition relocated to §80691(i) for “Institution”</i>	Relocated to maintain alphabetical order of definitions.
	<i>Insert new definition: “Educator preparation”</i>	The IIA and Initial Program Review processes both require that documents related to how institutions will operate their

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	program”	educator preparation programs be submitted to the Commission. Fees for review of these documents are based upon the category of educator preparation program. This definition makes clear what an educator preparation program is so that the fee structure for the review of documents is clear.
§80691(e)(1)	<i>Insert new definition:</i> “Category I: Preliminary/Initial Preparation”	This definition makes clear what qualifies as a Category I educator preparation program is so that the fee structure for the review of documents is clear.
§80691(e)(2)	<i>Insert new definition:</i> “Category II: Second Tier Preparation”	This definition makes clear what qualifies as a Category II educator preparation program is so that the fee structure for the review of documents is clear.
§80691(e)(3)	<i>Insert new definition:</i> “Category III: Added Authorizations”	This definition makes clear what qualifies as a Category III educator preparation program is so that the fee structure for the review of documents is clear.
§80691(f)	<i>Definition removed:</i> “Late Review” (Topic of review of late submission is addressed in 80692(b)(2).	This definition is being removed from this section due to the fact that it references components of the former accreditation system that no longer exist under the current system. The proposed regulations have been simplified to charge one fee for review of late submission of any required Accreditation Documentation (see §80691(a) and §80692(b)(2)).
	<i>Insert new definition:</i> “Eligibility Criteria”	The Commission’s updated IIA process now requires that prospective institutions submit a response to Eligibility Criteria. This definition makes clear what Eligibility Criteria are. Fees associated with Eligibility Criteria are located in §806912(a)(1).
§80691(g)	<i>Definition removed:</i> “Program Assessment”	This definition is being removed as the Commission’s updated accreditation system no longer includes a program assessment component which included an iterative process requiring the review of multiple versions of an institution or program responses. The regulations have been simplified to charge one fee for late submission of required Accreditation Documentation (see §80691(a) and §80692(b)(2)).
	<i>Updated and relocated from §80691(c):</i> Definition for “Initial Institutional Approval”	To improve clarity the Commission is removing all of the COA Accreditation Handbook chapters from the regulations as “articles incorporated by reference” and this definition has been updated to provide a clear definition without requiring

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		the regulated public to review a secondary document. Additionally, the definition has been updated to include the fact that the IIA process is now a multi-stage and multi-year process.
§80691(h)	<i>Definition removed: “Professional preparation program”</i>	This definition is being removed, as “educator preparation program” in §80691(e) is a more accurate term. The word “professional” is used in different ways by different individuals and often refers to teachers and administrators with second tier or “cleared” credentials.
	<i>Updated and relocated from §80691(d): Definition for “Initial Program Review”</i>	To improve clarity, and at the recommendation of the OAL, the Commission is removing all of the COA Accreditation Handbook chapters from the regulations as “articles incorporated by reference” and this definition has been updated to provide a clear definition without requiring the regulated public to review a secondary document.
§80691(i) §80691(i)(1) ) §80691(i)(2) ) §80691(i)(3) ) §80691(i)(4) ) §80691(i)(5) )	<i>Definition updated and relocated to §80691(c)(4) for “site revisit”</i>	The term was updated to accreditation site revisit and relocated to §80691(c)(4).  To improve clarity, and at the recommendation of the OAL, the Commission is removing all of the COA Accreditation Handbook chapters from these regulations as “articles incorporated by reference” and this definition has been updated to provide a clear definition without requiring the regulated public to review a secondary document.
	<i>Definition added for 80691 (c ) 1, 2, 3, and 5</i>	To improve clarity, and at the recommendation of the OAL, the Commission is removing all of the COA Accreditation Handbook chapters from these regulations as “articles incorporated by reference” and this definition has been updated to provide a clear definition without requiring the regulated public to review a secondary document. The definitions have been added for standard accreditation site visit, focused accreditation site visits, initial focused accreditation site visit and joint accreditation site visits.
	<i>Relocated from §80691(e) and Updated: Update to subsection reference.</i>	Definitions reordered to maintain alphabetical order. Reference to another section updated as a result of reordering of definitions.
§80691(j)	<i>Definition removed: “Site Visit”</i>	To improve clarity the Commission is removing all of the COA Accreditation Handbook chapters from the regulations as

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		“articles incorporated by reference” and this definition has been updated to provide a clear definition without requiring the regulated public to review a secondary document. Additionally, §80691(c) amendments propose the new and more robust definition of “Accreditation team site visits” to provide more clear information to the public.
	<i>Insert new definition: “Seventh year report”</i>	The definition for seventh year report has been added to clarify that it is a specific report that is not a regularly scheduled accreditation activity and that the report has fees associated with it. Adding this definition makes the fee structure of the proposed regulations more clear. Fees related to seventh year reports can be found in §80692(b)(4).
§80691(k)	<i>Definition removed: Standard Accreditation Cycle</i>	Revisions to §80691(b), “Accreditation system,” replaced the need for “Standard Accreditation Cycle” to be defined. The revised definition includes information about the accreditation cycle therefore §80691(k) is no longer relevant to the purpose of these regulations.
§80691(l)	<i>Definition removed: Stipulations</i>	The previous definition for “Stipulations” was no different than that in the dictionary and does not make specific or clarify any part of the governing statute for these regulations.
<b>§80692</b>		
§80692(a)	<i>Updated:</i> Revised language and structure of regulations.	This section was changed to be specific to IIA and IPR fees to make the regulations clearer. This also reflects the Commission’s adoption of a more structured and rigorous IIA process which requires multiple stages for approval.
§80692(a)(1)	<i>Deletion:</i> \$2,000 flat fee for Initial Institutional Approval.	The process for Initial Institutional Approval has been significantly revised to be a more rigorous multi-stage process with several decision points. The flat fee of \$2,000 for the previous IIA process is proposed to be eliminated because this process no longer exists in the same manner. It is proposed to be replaced with a fee that more appropriately reflects the new process adopted by the Commission.
	<i>Addition:</i> \$1,000 flat fee for review of Eligibility	The process for Initial Institutional Approval has been significantly revised to be a more rigorous multi-stage process with several decision points. Rather than the flat fee

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	Requirements	<p>of \$2,000 that was related to the previous Initial Institutional Approval process, the proposed fees more appropriately reflect the new multi-stage process adopted by the Commission.</p> <p>A \$1,000 fee is proposed to cover the work involved in Stage II: Eligibility Requirements of the Initial Institutional Approval process. Significant staff and Commissioner time is required to review the Eligibility Requirements and a \$1,000 fee is proposed to cover that cost as it is outside of normally scheduled accreditation activities. This fee also covers staff time to respond to questions from the prospective institution as they prepare their response to the eligibility requirements. Institutions seeking IIA require guidance from Commission staff on submission of eligibility requirements. The specific number of staff hours required to educate a prospective institution on how and what to submit to respond to the eligibility requirement, review the documents, and prepare the Commission agenda items varies. Factors impacting the number of hours include how much and how well the prospective institution understands the Initial Institutional Approval process, the quality and clarity of the submission, the sufficiency of the evidence provided, and the complexity of any issues that the responses present. Calculations related to the hours of staff time required can be found in Appendix D.</p>
§80692(a)(2)	<i>Update:</i> Changed to cover review of all types of documents for IIA after eligibility has been established.	<p>Once an institution has established eligibility they must submit a response to all required Initial Institutional Approval documentation which includes initial preconditions, common standards, general and program specific preconditions.</p> <p>Individual requirements for each step in the IIA process are being charged as individual components. Creating a separate fee structure for each stage of the initial institution approval process better reflects the actual costs involved in each stage and will help to ensure the institution only pays for services rendered as the Commission is limited in providing refunds to entities that do not successfully complete the process.</p>
§80692(a)(2)(A)	<i>New:</i> Fee for review of Common Standards response	The process for Initial Institutional Approval has been significantly revised to be a more rigorous multi-stage process with several decision points. Rather than the flat fee that was related to the previous Initial Institutional Approval

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	<p>Relocation: Fees for review of program standards responses relocated beginning at §80692(a)(2)(C)</p>	<p>process, the proposed fees more appropriately reflect the new multi-stage process adopted by the Commission. Individual requirements for each step in the IIA process are proposed to be charged as individual components.</p> <p>The Commission did not previously have a separate fee for the review of common standards, as it was included in the \$2,000 flat fee (§80692(a)(1)) for IIA.</p> <p>The proposed fee of \$1,000 for the review of Common Standards responses reflects the costs associated with reviewing Common Standards submissions in person and remotely. Costs include reimbursing the travel costs for volunteer reviewers to travel to the Commission to review the documents. In instances where reviewers cannot travel to review documents, staff spends a significant amount of time working with reviewers during a virtual review, as the reviewers often take several days to review documents (instead of dedicated days at the Commission) and questions are sent via phone or email, requiring staff to be available to aid in the virtual review. In these instances, fees offset the additional staff time for the coordination and facilitation of remote reviews.</p> <p>This fee also covers staff time to consult with the prospective institution as they prepare their response to the common standards. This time can range significantly from institution to institution.</p> <p>Calculations related to the hours of staff time required can be found in Appendix D.</p>
§80692(a)(2)(B)	<p><i>New:</i> Fee for review of general and program specific preconditions.</p> <p><i>Relocation:</i> Fees for review of program standards responses relocated to begin with §80692(a)(2)(C)</p>	<p>The process for Initial Institutional Approval has been significantly revised to be a more rigorous multi-stage process with several decision points. Rather than the flat fee of \$2,000 that was related to the previous Initial Institutional Approval process, the proposed fees more appropriately reflect the new multi-stage process adopted by the Commission. Individual requirements for each step in the IIA process are proposed to be charged as individual components.</p> <p>The Commission did not previously have a separate fee for the review of initial, general and program specific preconditions, as they were included in the \$2,000 fee (§80692(a)(1)) for IIA.</p>



Regulation	Proposed Amendment	Rationale
		<p>The proposed fee of \$1,000 to review initial, general and program specific preconditions covers the staff time required to review the documents (volunteers do not review preconditions), as well as staff time required to consult with the prospective institution as they prepare their responses. The actual number of hours of staff time for this activity depends on a number of factors including how well the prospective institution understand the expectations around the preconditions and the quality of the submission.</p> <p>Calculations related to the hours of staff time required can be found in Appendix D.</p>
§80692(a)(3)	<i>Relocated and updated:</i> Fees for review of Category I program standards responses relocated to: §80692(a)(2)(C)(1)	<p>The current fee structure is based on the number of standards required for the submission of a new program. As program standards were streamlined and strengthened, the number of standards in a program is no longer indicative of the complexity of the effort needed to review the program. Rather than base the fee structure on the number of standards for a credential area, it is proposed that it be based on the type of credential program. The programs have been organized by category that reflect similar characteristics to the other programs within the category. The fee amounts are staying the same, however the language is being updated to reflect these categories.</p>
§80692(a)(3)(A)	<i>Relocated and updated</i> Relocated from §80692(a)(2)(A)	<p>The current fee structure is based on the number of standards required for the submission of a new program. As program standards were streamlined and strengthened, the number of standards in a program is no longer indicative of the complexity of the effort needed to review the program. Rather than base the fee structure on the number of standards for a credential area, it is proposed that it be based on the type of credential program. The programs have been organized by category that reflect similar characteristics to the other programs within the category. The fee amounts are staying the same, however the language is being updated to read: Category I: Preliminary/Initial Preparation program review.</p>
§80692(a)(3)(B)	<i>Relocated and updated</i> Relocated from §80692(a)(2)(B)	<p>The current fee structure is based on the number of standards required for the submission of a new program. As program standards were streamlined and strengthened, the number of standards in a program is no longer indicative of the complexity of the effort needed to review the program. Rather than base the fee structure on the number of</p>



Regulation	Proposed Amendment	Rationale
		<p>standards for a credential area, it is proposed that it be based on the type of credential program. The programs have been organized by category that reflect similar characteristics to the other programs within the category. The fee amount is staying the same, however the language is being updated to read: Category II: Second Tier Preparation program review.</p>
§80692(a)(3)(C)	<p><i>Relocated and updated</i> Fee relocated from §80692(a)(2)(C)</p>	<p>The current fee structure is based on the number of standards required for the submission of a new program. As program standards were streamlined and strengthened, the number of standards in a program is no longer indicative of the complexity of the effort needed to review the program. Rather than base the fee structure on the number of standards for a credential area, it is proposed that it be based on the type of credential program. The programs have been organized by category that reflect similar characteristics to the other programs within the category. The fee amount is staying the same, however the language is being updated to read: Category III: Added Authorization program review.</p>
§80692(a)(4)	<p><i>Update:</i> <i>Remove outdated language and addition of IIA initial focused site visit fee.</i></p>	<p><i>Waiver of Fee for In-Kind</i></p> <p>The language being removed pertains to in-kind payment for review of initial program documents. Currently an institution may pay the costs (travel and other costs) to send two BIR trained reviewers to the Commission to review program documents as an in-kind payment for document review. Sending two readers was intended to encourage reviewer participation and provide the institution with an in-kind credit, or “free” review of their own program document submission.</p> <p>Since the in-kind payment option has been established, very few institutions have utilized the option. From 2013-14 to 2016-17, 167 program approvals were granted, yet only 15 programs used the in-kind option to pay the cost recovery fee.</p> <p>In addition subsequent legislation prohibited in-kind credits for similar work. Education Code §44374.5(a) regarding annual accreditation fees specifically prohibited the use of in-kind contributions to waive fees for the review of existing programs. Eliminating the in-kind fee waiver for review of initial program documents would bring this function into alignment with the rest of the fees for the accreditation</p>

Regulation	Proposed Amendment	Rationale
		<p>system and with legislative intent.</p> <p><i>Initial Focused Site Visit Fee</i> The revised IIA process now requires an initial focused site visit after the provisional approval period has concluded so that the Commission may ensure that the provisionally approved institution is offering programs in alignment with the accreditation system. This fee covers the cost of staff time to coordinate the initial focused site visit, including technical assistance time with the institution, travel for all members for the initial focused site visit, staff time preparing the report from the site visit.</p> <p>Calculations related to the hours of staff time required and travel can be found in Appendix D.</p>
§80692(b) and §80692(b)(1)	<i>No changes proposed</i>	
§80692(b)(2)	<i>Deletion:</i> Delete obsolete language	Obsolete language is deleted and replaced with updated language.
	<i>Update:</i> Language updated	<p>The language has been updated to align with the current accreditation system and now proposes the same \$500 fee, however instead of “late reviews” it pertains to the review of late submission of Accreditation Documentation. The fee still recovers the cost of staff time when an institution fails to submit Accreditation Documentation on time. An extraordinary amount of staff time is needed when institutions have not submitted documents by the required due dates including the time necessary to contact the institution, monitor the submission process, and provide consultation on what kind of documentation is required to be submitted. Additional review sessions to accomplish the review of the late documentation need to be coordinated and held which can increase travel costs and staffing costs for the Commission.</p> <p>Calculations related to the hours of staff time required can be found in Appendix D.</p>

Regulation	Proposed Amendment	Rationale
§80692(b)(3)	<i>Deletion:</i> Delete obsolete language “Program Assessment”	The Program Assessment process is no longer part of the current accreditation process.
	<i>New:</i> Fee for joint accreditation visits with national or regional accreditation bodies.	<p>The Commission has a history of more than three decades of participating in joint accreditation visits with national accrediting bodies when an institution is seeking both state and national accreditation of its educator preparation programs.</p> <p>The Council for the Accreditation of Educator Preparation (CAEP) has recently revised its fee structure and the Commission is now responsible for an additional \$2,500 per joint visit with CAEP. Under the current CAEP fee structure CAEP increases the annual fee to the state that host joint visits by \$2,500 per CAEP institution over the seven- year accreditation cycle and reduces the fee to each institution by \$2,500 across the seven years of the accreditation cycle. California conducts joint CAEP visits.</p> <p>The joint visit fee of \$2,500 per institution falls within the category of an extraordinary fee because participation in CAEP accreditation is entirely voluntary and determined by the institution.</p> <p>In September 2017 the Commission approved adding this \$2,500 fee for joint accreditation visits to the cost recovery system.</p>
§80692(b)(3)(A) §80692(b)(3)(B)	<i>Update:</i> Update obsolete language “Program Assessment”	The Program Assessment process has been replaced by Program Review. Additionally, the new process of Program Review does not include an iterative review process between readers and institutions as did Program Assessment.
§80692(b)(4)	<i>Updated terminology</i>	The term “stipulations” has been deleted and replaced with “Seventh Year Activities” as the fees in sections §80692(b)(4)(A)-(C) are related to the activities in the seventh year and not specifically to stipulations made by the COA.
§80692(b)(4)(A)	<i>Updated:</i> Language updated for clarity and minimum	This definition has been updated for clarity. As defined in §80691(c)(4), accreditation site revisits require \$1,000 per individual attending as part of the accreditation revisit team.

Regulation	Proposed Amendment	Rationale
	fee for revisit added.	
§80692(b)(4)(B)	<i>Updated:</i> Language updated for clarity	To improve clarity the Commission is removing all of the COA Accreditation Handbook chapters from the regulations as “articles incorporated by reference” and this definition of the review of a seventh year report when no revisit is required has been updated to provide a clear definition without requiring the regulated public to review a secondary document.
§80692(b)(4)(C)	<i>Updated:</i> Language updated for clarity	To improve clarity the Commission is removing all of the COA Accreditation Handbook chapters from the regulations as “articles incorporated by reference” and this definition of the review of a report associated with an accreditation site visit revisit has been updated to provide a clear definition without requiring the regulated public to review a secondary document.

**Table 3: Program Category Listing**

Category I Preliminary/Initial Preparation	Category II Second Tier Preparation	Category III Additional Authorizations
<ul style="list-style-type: none"> <li>• Multiple Subject</li> <li>• Single Subject</li> <li>• Education Specialist: <ul style="list-style-type: none"> <li>-Mild/Moderate</li> <li>-Moderate/Severe</li> <li>-Early Childhood</li> <li>-Deaf and Hard of -Hearing</li> <li>-Visual Impairments</li> </ul> </li> <li>• Administrative Services</li> <li>• School Psychology</li> <li>• School Counseling</li> <li>• School Social Work</li> <li>• Designated Subjects: Career Technical Education</li> <li>• Designated Subjects: Adult Education</li> <li>• Clinical or Other Rehabilitative-Orientation and Mobility</li> <li>• Speech Language Pathology Services</li> <li>• Audiology</li> </ul>	<ul style="list-style-type: none"> <li>• Teacher Induction</li> <li>• Administrative Services Induction</li> <li>• California Teachers of English Learners</li> <li>• Bilingual Authorization</li> <li>• Agriculture Specialist</li> <li>• Adapted Physical Education</li> <li>• Early Childhood Specialist</li> <li>• Designated Subjects: Supervision and Coordination</li> <li>• Pupil Personnel Services- Child Welfare and Attendance</li> <li>• Teacher Librarian</li> <li>• School Nurse</li> </ul>	<ul style="list-style-type: none"> <li>• Education Specialist Added Authorization: <ul style="list-style-type: none"> <li>-Autism Spectrum Disorder</li> <li>-Deaf-Blind</li> <li>-Early Childhood Special Education</li> <li>-Emotional Disturbance</li> <li>-Orthopedic Impairments</li> <li>-Other Health Impairments</li> <li>-Resource Traumatic Brain Injury</li> </ul> </li> <li>• Reading and Literacy Added Authorization</li> <li>• Reading and Literacy Leadership Specialist</li> <li>• Mathematics Instructional Added Authorization</li> <li>• Mathematics Instructional Leadership Specialist</li> <li>• Teacher Librarian Special Teaching Authorization</li> <li>• School Nurse Special Teaching Authorization</li> <li>• Speech-Language Pathology</li> </ul>

<b>Category I Preliminary/Initial Preparation</b>	<b>Category II Second Tier Preparation</b>	<b>Category III Additional Authorizations</b>
		Special Teaching Authorization

**Table 4: Calculations for Determinations of Fees**

<b>Beyond Standard Accreditation Cycle Activities Education Code §44374.5</b>	<b>Proposed Cost Recovery Fee</b>	<b>Calculation of Fee <i>Cost to the agency is approximately</i></b>
<b>Initial Institutional Approval</b>		
Review of IIA Eligibility Requirements - Attend Accreditation 101 (Administrator, Consultant x2, AGPA 1 day each=\$1,441 for the day; 4-8 institutions attend the event) - Review Eligibility requirements (Consultant 1 day, Analyst 1 day, Administrator 2 hours=\$ 989)	\$1,000	$(\$ 180 - \$ 360) + 989 = \textbf{\$1,169 - \$1,349}$
Review of IIA Common Standards	\$1,000	2 reviewers, \$600 in travel for each <b>\$1,200</b>
Review of IIA Preconditions <i>Consultant review and work with prospective sponsor—2-3 days @ 492.12 per day</i>	\$1,000	<b>\$ 984 - \$ 1,476</b>
<b>Extraordinary Fees</b>		
Initial Focused Site Visit: 2-3 days	\$1,000 per team member	<b>\$1,000</b> in travel expenses per individual
Initial Program Review: Category I - 2 BIR Members review - Consultant work prior to submission ~ 1 day - Consultant and Analyst work prior and post review .5 day each	\$2,000	$\$ 600 \times 2 \text{ readers} + \$ 492 \text{ consultant} + \$ 246 \text{ consultant and } \$ 193 \text{ analyst} = \textbf{\$1,951}$
Initial Program Review: Category II Second Tier - BIR Members review - Consultant work prior to submission ~ .75 day - Consultant and Analyst work prior and post review .4 day each	\$1,500	$\$ 450 \times 2 \text{ readers} + \$ 369 \text{ consultant} + \$ 196 \text{ consultant and } \$ 154 \text{ analyst} = \textbf{\$ 1,479}$
Initial Program Review: Category III - BIR Members review - Consultant work prior to submission ~ .50 day - Consultant and Analyst work prior and post review .3 day each	\$1,000	$\$ 300 \times 2 \text{ readers} + \$ 246 \text{ consultant} + \$ 148 \text{ consultant and } \$ 115 \text{ analyst} = \textbf{\$ 1109}$

<b>Beyond Standard Accreditation Cycle Activities Education Code §44374.5</b>	<b>Proposed Cost Recovery Fee</b>	<b>Calculation of Fee Cost to the agency is approximately</b>
Focused Site Visit -Usually a 2-3 day event	<i>\$1,000 per team member.</i>	<b><i>\$1,000</i></b> in travel expenses per team member
Late Submission of Accreditation Documentation Analyst follow up with institution: 2 hours-2 days Consultant schedule and facilitate late review	<i>\$500 per document</i>	~ \$385 analyst + ~ \$ 492 consultant = <b><i>\$ 877</i></b>
Modified the fee for not completing required activities of the accreditation cycle	<i>\$1,000 per team member</i>	<b><i>\$1,000</i></b> in travel expenses per team member
Joint visitation fee with regional or national accrediting bodies.	<i>\$2,500</i>	<b><i>Amount CAEP charges the Commission</i></b>
Site revisit fee with minimum added.	<i>\$1,000 per member</i>	<b><i>\$1,000</i></b> in travel expenses per team member
Review of 7 <sup>th</sup> year report with no site visit Consultant follow up through Year 7—2-6 days through Year 7 @ \$492/day	<i>\$500</i>	<b><i>~ \$ 984 - \$ 2,952</i></b>
Review of 7 <sup>th</sup> year report associated with a site revisit Consultant follow up through Year 7: 3-7 days through Year 7 @ \$492/day	<i>\$1,000</i>	<b><i>~ \$ 1,476 - \$ 3,444</i></b>
<b>Hourly Staff Costs (Position and Mid-Step Hourly Wage with Benefits)</b>		
Administrator		\$70.53
Consultant		\$61.59
Associate Governmental Program Analyst		\$48.14
Staff Services Analyst		\$35.36

Round-trip travel expenses are to be covered at \$600 for a 1-day meeting and \$800 for a 2-day meeting, or \$1000 for a 3-day event for volunteers to review documents.

- Category I programs take a full day and possibly a bit more for the two members to complete the review of a program
- Category II programs take about 2/3-3/4 of a day for the two members to complete the review of a program
- Category III programs take about ½ to 2/3 of a day for the two members to complete the review of a program

### **Documents Relied Upon in Preparing Regulations:**

#### *Commission Agenda Items*

June 2014 Commission Agenda Item 2E:

<http://www.ctc.ca.gov/commission/agendas/2014-06/2014-06-2E.pdf>

October 2014 Commission Agenda Item 3A:

<http://www.ctc.ca.gov/commission/agendas/2014-10/2014-10-3A.pdf>

February 2015 Commission Agenda Item 4D:

<http://www.ctc.ca.gov/commission/agendas/2015-02/2015-02-4D.pdf>

April 2015 Commission Agenda Item 4B:

<http://www.ctc.ca.gov/commission/agendas/2015-04/2015-04-4B.pdf>

June 2015 Commission Agenda Item 5B:

<http://www.ctc.ca.gov/commission/agendas/2015-06/2015-06-5B.pdf>

August 2015 Commission Agenda Item 3C:

<http://www.ctc.ca.gov/commission/agendas/2015-08/2015-08-3C.pdf>

August 2015 Commission Agenda Item 3D:

<http://www.ctc.ca.gov/commission/agendas/2015-08/2015-08-3D.pdf>

October 2015 Commission Agenda Item 2D:

<http://www.ctc.ca.gov/commission/agendas/2015-10/2015-10-2D.pdf>

February 2016 Commission Agenda Item 3B:

<http://www.ctc.ca.gov/commission/agendas/2016-02/2016-02-3B.pdf>

February 2016 Commission Agenda Item 3C:

<http://www.ctc.ca.gov/commission/agendas/2016-02/2016-02-3C.pdf>

December 2016 Commission Agenda Item 3C:

<http://www.ctc.ca.gov/commission/agendas/2016-12/2016-12-3C.pdf>

February 2017 Commission Agenda Item 2C:

<http://www.ctc.ca.gov/commission/agendas/2017-02/2017-02-2C.pdf>

September 2017 Commission Agenda Item 4G:

[https://www.ctc.ca.gov/docs/default-source/commission/agendas/2017-09/2017-09-4g.pdf?sfvrsn=4c3f54b1\\_2](https://www.ctc.ca.gov/docs/default-source/commission/agendas/2017-09/2017-09-4g.pdf?sfvrsn=4c3f54b1_2)

#### *Committee on Accreditation (COA) Agenda Items*

January 2016 COA Agenda Item 15:

<http://www.ctc.ca.gov/educator-prep/coa-agendas/2016-01/2016-01-item-15.pdf>

January 2016 COA Agenda Item 17:

<http://www.ctc.ca.gov/educator-prep/coa-agendas/2016-01/2016-01-item-17.pdf>

January 2016 COA Agenda Item 18:

<http://www.ctc.ca.gov/educator-prep/coa-agendas/2016-01/2016-01-item-18.pdf>

January 2016 COA Agenda Item 19:

<http://www.ctc.ca.gov/educator-prep/coa-agendas/2016-01/2016-01-item-19.pdf>

March 2016 COA Agenda Item 9:

<http://www.ctc.ca.gov/educator-prep/coa-agendas/2016-03/2016-03-item-09.pdf>

March 2016 COA Agenda Item 12:

<http://www.ctc.ca.gov/educator-prep/coa-agendas/2016-03/2016-03-item-12.pdf>

March 2016 COA Agenda Item 16:

<http://www.ctc.ca.gov/educator-prep/coa-agendas/2016-03/2016-03-item-12.pdf>

April 2016 COA Agenda Item 17:

<http://www.ctc.ca.gov/educator-prep/coa-agendas/2016-04/2016-04-item-17.pdf>

April 2016 COA Agenda Item 18:

<http://www.ctc.ca.gov/educator-prep/coa-agendas/2016-04/2016-04-item-18.pdf>

April 2016 COA Agenda Item 19:

<http://www.ctc.ca.gov/educator-prep/coa-agendas/2016-04/2016-04-item-19.pdf>

April 2016 COA Agenda Item 21:

<http://www.ctc.ca.gov/educator-prep/coa-agendas/2016-04/2016-04-item-21.pdf>

February 2017 COA Agenda Item 14:

<http://www.ctc.ca.gov/educator-prep/coa-agendas/2017-02/2017-02-item-14.pdf>

March 2017 COA Agenda Item 9:

<http://www.ctc.ca.gov/educator-prep/coa-agendas/2017-03/2017-03-item-09.pdf>

***Statement of the Results of the Economic Impact Assessment/Analysis:***

The Commission concludes that it is:

- 1) Unlikely that the proposal will create any jobs within the State of California, as there are already 146 institutions operating teacher preparation programs within the state. As new programs and institutions are approved new jobs may be created, however the Commission is unable to determine whether or not jobs will be created and believes that the number of jobs created would be minimal.
- 2) Unlikely that the proposal will eliminate any jobs within the State of California as there is currently a teacher shortage and teacher preparation programs are busy preparing teachers to help with the shortage. Approved programs can avoid cost recovery fees entirely and the fees for new programs and institutions is not large enough to impact the number of jobs an institution has available.
- 3) Unlikely that the proposal will create any new businesses within the State of California as the regulations apply to currently approved institutions or to institutions seeking approval which must already have regional accreditation and are only expanding their business into teacher preparation.
- 4) Unlikely that the proposal will eliminate any existing businesses within the State of California as there is currently a teacher shortage and teacher preparation programs are busy preparing teachers to help with the shortage. Approved programs can avoid cost recovery fees entirely and the fees for new programs and institutions is not large enough to impact the ability of an institution to remain open.
- 5) Possible the proposal would cause the expansion of businesses currently doing business within the State of California. The current and proposed amendments to regulations apply to currently approved institutions or to institutions seeking approval which must already have



regional accreditation and are only expanding their business into teacher preparation in California. The Commission is unable to determine whether or not any significant number of businesses would expand into California.

6) The Commission anticipates that the proposed amendments will benefit the health and welfare of California residents, as summarized in the Objectives and Anticipated Benefits of the proposed regulations above, by providing resources to perform the Commission's statutorily-mandated accreditation duties, thereby ensuring high quality educator preparation for the instruction of California K-12 public school students. The proposed regulations will promote fairness and prevent discrimination by specifying that the cost recovery fees apply to all institutions offering or proposing to offer Commission-approved programs, regardless of agency type. The proposed regulations will also increase openness and transparency by clarifying the cost recovery fees associated with IIA, new program review and accreditation activities in excess of the regularly scheduled data reports, document reviews, and accreditation site visits. The Commission does not anticipate that the proposed regulations will result in the protection of worker safety, or the environment, the prevention of social inequity or an increase in openness and transparency in business.

***Cost impacts on a representative private person or business***

Cost impacts to a representative business would be minimal. Non-Commission approved private/independent education entities that elect to offer a program(s) will be required to submit fees to cover the cost of IIA and IPR. Currently approved institutions pursuing additional Commission-approved programs will also be subject to IPR fees. Institutions may avoid all Cost Recovery Fees for Extraordinary Accreditation Activities (IPR, review of late submissions etc.) provided new programs are not proposed and accreditation activity requirements are followed in a timely manner.

The Commission is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action.

***Business Report***

The proposal does not require a report to be made by any businesses.

***Effect on Small Business***

The proposed regulations will not have a significant adverse economic impact upon small business. The proposed regulations apply only to institutions electing to offer Commission-approved and accredited educator programs or existing Commission-approved educational entities that have not met the requirements of the Accreditation System.

***Alternatives Statement***

The Commission has determined that no reasonable alternative considerations have been determined by the agency and no reasonable alternatives have been brought to the attention of the agency that would be more effective in carrying out the purpose of the proposed action, would be as effective and less burdensome to affective 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 provisions 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.

### **Authority and Reference**

Education Code (EC) section 44225 authorizes the Commission to adopt the proposed regulation amendments. The proposed regulations implement, interpret, and make specific EC section 44374.5 pertaining to fees related to extraordinary accreditation activities.

### **Information Digest/Policy Statement Overview**

#### **Summary of Existing Laws and Regulations**

This rulemaking action proposes amendments to sections 80691 and 80692 of Title 5 of the California Code of Regulations (CCR) related to cost recovery fees for extraordinary accreditation activities. The purpose of the fee schedule is to recover the costs of extraordinary staff time and work that is created as a result of a current or prospective educator preparation program requiring consultation or additional specialized attention outside of regularly scheduled accreditation activities. As a result of the addition of EC section 44374.5 which authorized the Commission to develop and implement a cost recovery plan for extraordinary accreditation activities the initial cost recovery fee regulations went into effect October 30, 2013 after Commission approval on September 27, 2013.

The Budget Act of 2015 (Assembly Bill 93, Chap. 10, Stats. 2015) provided a one-time General Fund appropriation of \$3.467 million for the Streamline and Strengthen the Accreditation Process (SSAP) which included funds to support a comprehensive review and revision of educator preparation including the development and implementation of significant improvements to streamline and strengthen the Commission's accreditation system. Significant changes to the accreditation system's processes and terminology have resulted in the need to amend sections 80691 and 80692 of Title 5 of the CCR related to cost recovery fees for extraordinary accreditation activities so that the regulations are up to date and aligned with the Commission's processes and the governing statutes.

At the December 2016 Commission meeting staff proposed amendments to the fee schedule and the Commission directed staff to begin the regular rulemaking process. A Coded Correspondence and a notice of proposed amendments were published on the Commission webpage on April 14, 2017. Additionally, the Office of Administrative Law (OAL) published the notice on their website. The proposed amendments included two fee changes and general clean-up to align terms with the Commission's restructured accreditation system.

As part of the regulatory process, staff engaged in several discussions with OAL and responded to their questions about the proposed regulations. During these discussions it became apparent to Commission staff that the regulatory process for the proposed cost recovery regulations was extraordinarily complicated. This was due in part to the extensive changes implemented in processes and procedures that stem from the strengthening and streamlining

accreditation project. In addition, the current regulations incorporated by reference specific Accreditation Handbook chapters requiring interested parties to have to consult both sources. After discussions with OAL and upon reflection, staff realized the need to identify a new approach that would be more transparent and less burdensome to readers.

Additionally, in summer 2017, while the staff was preparing the regulations package for submission to OAL, the Council for the Accreditation of Educator Preparation (CAEP) changed their fee structure which resulted in an additional \$2,500 fee for the Commission for each joint review conducted with educator preparation programs in California. National accreditation is voluntary in California. The activity is in addition to the regularly scheduled activities and is defined as an extraordinary fee. In response, at the September 2017 Commission meeting, the Commission took action to include a new \$2,500 fee for joint CAEP site visits and directed staff to include this fee in this regulations packet.

As a result of these factors, the 2017 rulemaking packet was withdrawn. After withdrawing the previously amended Cost Recovery Fees for Extraordinary Accreditation Activities regulations from review by the OAL, Commission staff attended additional training with OAL staff and received clarification on the best methods for updating regulations in light of the significant overhaul to the accreditation system.

The amendments in this proposal have been updated and rewritten for clarity and to reflect the changes to the accreditation system, including a fee for joint accreditation visits with other accrediting entities.

#### 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. There are no other 5 CCR sections that specify cost recovery fees for extraordinary accreditation activities associated with Commission-approved programs.

#### **Disclosures Regarding the Proposed Actions**

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.

#### **Fiscal Impact:**

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

School districts, county offices of education and charter schools that are not currently approved to offer educator preparation programs (i.e. that elect to offer a program(s)) will be required to submit fees to cover the cost of IIA and Initial Program Review (IPR). Currently approved institutions pursuing additional Commission-approved programs will also be subject to IPR fees.

Institutions may avoid all Cost Recovery Fees for Extraordinary Accreditation Activities (IPR, review of late submissions, etc.) provided new programs are not proposed and accreditation activity requirements are followed in a timely manner.

Cost or savings to any state agency

None.

Other non-discretionary costs or savings imposed upon local agencies

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***

The proposal will not have an impact. The Commission does not anticipate any adverse statewide economic impact as the regulations apply only to currently approved educational institutions that are looking to expand their teacher preparation offerings or who are not complying with the requirements of the accreditation system and require extraordinary assistance, or to educational institutions seeking initial institutional approval to be able to operate teacher preparation programs. Businesses outside of California seeking initial institutional approval must have an in-depth understanding of California Educational Standards, must be able to provide their candidates with fieldwork opportunities that mirror the student population of California, and have employees that understand the details of education in California.

**Contact Person/Further Information**

General or substantive inquiries concerning the proposed action may be directed to Kathryn Polster by telephone at (916) 445-0229, by mail at Commission on Teacher Credentialing, 1900 Capitol Avenue, Sacramento, CA 95811, or by email to Kathryn Polster [kpolster@ctc.ca.gov](mailto:kpolster@ctc.ca.gov) or Michelle Bernardo [mbernardo@ctc.ca.gov](mailto:mbernardo@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 Kathryn Polster or Michelle Bernardo at the address 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 Kathryn Polster at (916) 445-0229.

**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.htm>