# Division VIII of Title 5 of the California Code of Regulations Proposed Amendments and Additions to Title 5 of the California Code of Regulations Pertaining to Theater and Dance Credentials Initial Statement of Reasons

## Rationale for Proposed Regulations

Education Code section 44225 authorizes the Commission on Teacher Credentialing (Commission) to adopt these proposed regulation amendments. The proposed amendments implement, interpret, and make specific Education Code (EC) sections 44256, 44257, and 44258.9 pertaining to Theater and Dance credentials.

This rulemaking action proposes the following:

* Amend Title 5 California Code of Regulations (CCR) section 80004 to state that English and Physical Education (PE) credentials issued prior to January 1, 2022 authorize the holder to teach drama and theater arts, and dance, respectively;
* Amend Title 5 of the CCR section 80005 to add the subjects of Theater and Dance to the existing list of statutorily authorized single subject credentials, and to identify specific subjects subsumed by these new subject areas;
* Amend Title 5 of the CCR section 80057.5 to add Theater and Dance to the existing list of supplementary authorizations for multiple subject and standard elementary teaching credentials, and to authorize holders of English and PE supplementary authorizations prior to January 1, 2022 to teach theater arts and dance, respectively;
* Amend Title 5 of the CCR section 80089.2 to add Theater and Dance to the existing list of introductory supplementary authorizations, and to authorize holders of English and PE introductory supplementary authorizations prior to January 1, 2022 to teach theater arts and dance, respectively;
* Amend Title 5 of the CCR section 80089.3 to add Theater and Dance to the existing list of introductory subject matter authorizations, to remove drama and theater as required content areas for issuance of the English subject matter authorization;
* Make other minor amendments to Title 5 of the CCR sections 80005, 80089.1, 80089.2, and 80089.3 for clarity and consistency purposes.

## Necessity and Rationale for Allowing Single Subject English and PE Credentials Issued Prior to January 1, 2022 to Authorize Teaching Theater and Dance

Senate Bill (SB) 916 (Chapter 652, Statutes of 2016) was enacted into law on September 26, 2016. This bill amends EC section 44257 to create single subject Theater and Dance credentials. The bill explicitly states that English and PE credentials issued prior to the establishment of the new credentials shall still authorize the teaching of theater and dance respectively. Currently these subjects are subsumed content areas taught by holders of single subject credentials in English and PE, whose current preparation includes theater and dance content. The Commission has identified January 1, 2022 as the date by which the new credentials will be established. This date was derived from the work that has been performed by the Commission thus far to adopt Subject Matter Requirements and Teaching Performance Expectations for the new credentials, as well as the anticipated timeline for credentialing programs to complete the accreditation process required to begin recommending educators for the new credentials. The changes also include renumbering the section for clarity of reading.

## Necessity and Rationale for Adding Theater and Dance Credentials to the List of Credentials Authorized for Departmentalized Classes

SB 916 amends EC section 44257 to add single subject Theater and Dance credentials to the list of statutorily authorized credentials to be issued by the Commission. This required these credential types, along with their corresponding lists of specific subjects identified via course code reporting by school districts to the California Longitudinal Pupil Achievement Data System (CalPADS), be added to the list of credentials authorized for departmentalized classes established in Title 5 CCR section 80005, subdivision (a). These subjects have also been removed from the lists of specific subjects subsumed under English and PE. The changes also include renumbering the section for clarity of reading.

## Necessity and Rationale for Changing “Languages other than English” to “World Languages”

AB 525 (Chapter 427, Statutes of 2019) changed the terminology in EC section 44257 to reflect current usage in the educational community, which uses the terminology “world language.” Since Title 5 CCR section 80005 is intended to reflect 44257, a corresponding change in terminology is required for clarity and consistency.

## Necessity and Rationale for Adding Theater and Dance Supplementary Authorizations to Teaching Credentials Used Predominantly in Elementary Schools.

EC section 44256 authorizes the holder of a multiple subject credential who has completed 20 semester hours of coursework or 10 semester hours of upper division or graduate coursework approved by the commission at an accredited institution in any subject commonly taught in grades 9 or below, other than the subject of the holder’s existing credential, to have this subject appear on the credential as an authorization to teach the subject in departmentalized classes grade 9 and below. Title 5 CCR section 80057.5 provides a list of these subjects, known as “Supplementary Authorizations” along with a list of subjects required by the Commission to be included in the 10/20 semester hours specified by the statute. Currently, there are Supplementary Authorizations in both English and PE that authorize instruction in those subjects in a departmentalized setting. This would include theater and dance. Because the full Single Subject credentials will no longer authorize instruction in these subject areas, it would be inappropriate to continue to allow English and PE Supplementary Authorizations to do so. In order to retain the ability for teachers who meet the coursework requirements to obtain Supplementary Authorizations in theater and dance, new Supplementary Authorizations in theater and dance must be created in section 80057.5. The changes also include reorganizing and renumbering the section for clarity of reading.

## Necessity and Rationale for Removing the Sunset Date for the Supplementary Authorization in Computer Concepts and Applications

In June of 2015, the Commission replaced the Supplementary Authorization in Computer Concepts and Applications with an updated Supplementary Authorization in Computer Science. The new Supplementary Authorization in Computer Science required different coursework better aligned with the needs of modern computer science courses. In order to minimize the disruption to candidates who were already enrolled in coursework intended to meet the requirements of the Supplementary Authorization in Computer Concepts and Applications, the Commission adopted a sunset date of April 1, 2016 to allow time for completion of that coursework. This date has since passed, and it is no longer possible to qualify for the Supplementary Authorization in Computer Concepts and Applications. Therefore, section 80057.5, subdivision (h) is being deleted.

## Necessity and Rationale for Allowing English and PE Supplementary Authorizations to Teaching Credentials Used Predominantly in Elementary Schools Issued Prior to January 1, 2022 to Authorize Teaching Theater and Dance

EC section 44257 explicitly states that English and PE credentials issued prior to the establishment of the new credentials shall still authorize the teaching of theater and dance respectively. The section also states that the creation of new Single Subject Theater and Dance credentials shall not be construed to prohibit a school district from employing a person who holds a single subject teaching credential in another subject with an authorization to teach theater or dance from teaching theater or dance. While supplementary authorizations are not explicitly mentioned, the Legislature clearly established its intent to allow all educators currently authorized to teach the content areas of theater and dance to retain that authorization. In addition, EC section 44251.2 states that “A credential, permit, certificate, or other document that is lawfully issued by the commission shall remain in force in accordance with the laws and regulations under which it was issued, and shall be exempt from new laws and regulations unless sections of this code are specifically amended to the contrary.” Currently these subjects are subsumed content areas taught by holders of supplementary authorizations in English and PE. The Commission has identified January 1, 2022 as the date by which the new credentials will be established. This date was derived from the work that has been performed by the Commission thus far to adopt Subject Matter Requirements and Teaching Performance Expectations for the new credentials, as well as the anticipated timeline for credentialing programs to complete the accreditation process required to begin recommending educators for the new credentials. The changes also include renumbering the section for clarity of reading.

## Necessity and Rationale for Changing Drama to Theater

Title 5 CCR section 80089.1, subdivision (a) provides a list of subjects that may be added as supplementary authorizations to a valid teaching credential. The subject of Drama appears on this list. As Theater is the term used in statute, this has been changed to reflect that, for clarity.

## Necessity and Rationale for Removing the Sunset Date for the Supplementary Authorization in Computer Concepts and Applications

In June of 2015, the Commission replaced the Supplementary Authorization in Computer Concepts and Applications with an updated Supplementary Authorization in Computer Science. The new Supplementary Authorization in Computer Science required different coursework better aligned with the needs of modern computer science courses. In order to minimize the disruption to candidates who were already enrolled in coursework intended to meet the requirements of the Supplementary Authorization in Computer Concepts and Applications, the Commission adopted a sunset date of April 1, 2016 to allow time for completion of that coursework. This date has since passed, and it is no longer possible to qualify for the Supplementary Authorization in Computer Concepts and Applications. Therefore, section 80089.1, subdivision (f) is being deleted.

## Necessity and Rationale for Adding Dance and Theater to the List of Introductory Supplementary Authorizations

EC section 44256 authorizes the holder of a Multiple Subject credential who has completed 20 semester hours of coursework or 10 semester hours of upper division or graduate coursework approved by the commission at an accredited institution in any subject commonly taught in grades 9 or below, other than the subject of the holder’s existing credential to have this subject appear on the credential as a subject the credential holder is additionally authorized to teach. Title 5 CCR section 80089.2 provides a list of these subjects, known as “Introductory Supplementary Authorizations” along with a list of subjects required by the Commission to be included in the 10/20 semester hours specified by the statute. Currently, there are Introductory Supplementary Authorizations in both English and PE that authorize instruction in subjects covered by those credentials. This would include theater and dance. Because the full credentials will no longer authorize instruction in these subject areas, it would be inappropriate to continue to allow Introductory Supplementary Authorizations to do so. In order to retain the ability for teachers who meet the coursework requirements to obtain Introductory Supplementary Authorizations in theater and dance, new Introductory Supplementary Authorizations in theater and dance must be created in section 80089.2. The changes also include reorganizing and renumbering the section for clarity of reading.

## Necessity and Rationale for Removing the Sunset Date for the Introductory Supplementary Authorization in Computer Concepts and Applications

In June of 2015, the Commission replaced the Introductory Supplementary Authorization in Computer Concepts and Applications with an updated Introductory Supplementary Authorization in Computer Science. The new Introductory Supplementary Authorization in Computer Science required different coursework better aligned with the needs of modern computer science courses. In order to minimize the disruption to candidates who were already enrolled in coursework intended to meet the requirements of the Introductory Supplementary Authorization in Computer Concepts and Applications, the Commission adopted a sunset date of April 1, 2016 to allow time for completion of that coursework. This date has since passed, and it is no longer possible to qualify for the Introductory Supplementary Authorization in Computer Concepts and Applications. Therefore, section 80089.2, subdivision (f) is being deleted.

## Necessity and Rationale for Allowing Supplementary Authorizations in Introductory English and Introductory PE Issued Prior to January 1, 2022 to Authorize Teaching Introductory Theater and Introductory Dance

EC section 44257 explicitly states that English and PE credentials issued prior to the establishment of the new Single Subject Theater and Dance credentials shall still authorize the teaching of theater and dance respectively. The section also states that the creation of new Single Subject Theater and Dance credentials shall not be construed to prohibit a school district from employing a person who holds a single subject teaching credential in another subject with an authorization to teach theater or dance from teaching theater or dance. While supplementary authorizations are not explicitly mentioned, the Legislature clearly established its intent to allow all educators currently authorized to teach the content areas of theater and dance to retain that authorization. In addition, EC section 44251.2 states that “A credential, permit, certificate, or other document that is lawfully issued by the commission shall remain in force in accordance with the laws and regulations under which it was issued, and shall be exempt from new laws and regulations unless sections of this code are specifically amended to the contrary.” Currently these subjects are subsumed content areas taught by holders of supplementary authorizations in Introductory English and Introductory PE. The Commission has identified January 1, 2022 as the date by which the new credentials will be established. This date was derived from the work that has been performed by the Commission thus far to adopt Subject Matter Requirements and Teaching Performance Expectations for the new credentials, as well as the anticipated timeline for credentialing programs to complete the accreditation process required to begin recommending educators for the new credentials. The changes also include renumbering the section for clarity of reading.

## Necessity and Rationale for Adding Dance and Theater to the List of Introductory Subject Matter Authorizations

Title 5 Section 80089.3, allows the Commission to issue Introductory Subject Matter Authorizations in core academic subject areas. This section was initially adopted to meet the “highly qualified” requirement under the No Child Left Behind Act of 2001 (NCLB). Although NCLB

is no longer in effect, educators may still receive Subject Matter Authorizations to expand their authorized content areas of instruction. An Introductory Subject Matter Authorization authorizes the holder to teach the subject matter content for study in grades 9 and below. Subdivision (b) provides a list of these subjects, along with specific content areas of study required by the Commission to be included in the 32 semester hours or 48 quarter hours required for issuance. Currently, there are Introductory Subject Matter Authorizations in both English and PE that authorize instruction in subjects covered by those credentials. This would include theater and dance. Because the full credentials will no longer authorize instruction in these subject areas, it would be inappropriate to continue to allow Introductory Subject Matter Authorizations to do so. In order to retain the ability for teachers who meet the coursework requirements to obtain Introductory Subject Matter Authorizations in theater and dance, new Introductory Subject Matter Authorizations in theater and dance must be created section 80089.3.

## Summary of Proposed Additions and Amendments to Regulations

***§80004***

**(f):** A new paragraph (f) is added to state that single subject English credentials first issued prior to January 1, 2022 still authorize instruction in drama and theater arts.

**(g):** A new paragraph (g) is added to state that single subject PE credentials first issued prior to January 1, 2022 still authorize instruction in dance.

**(f):** The existing paragraph (f) is renumbered to (h) to reflect the added paragraphs.

***§80005***

**(a)(4):** Adds the broad subject area of Dance and its corresponding list of subsumed subjects.

**(a)(5):** Subsection renumbered due to the addition of Dance in (a)(4). The section lists the subsumed subjects previously included under (a)(4), minus drama and theater arts, which will no longer be subsumed under the English subject area.

**(a)(5)-(a)(8):** All subsections are renumbered to (a)(6) through (a)(8) to reflect the addition of Dance to the list of single subject credentials in (a)(4).

**(a)(8):** This subsection is deleted and relocated in order to correspond to the rest of the section, which is alphabetical.

**(a)(17):** The broad subject of theater and its corresponding list of subsumed subjects is added to the list of single subject credentials.

**(a)(18):** The subsection deleted from the original (a)(8) is reinserted here with the phrase “languages other than English” changed to “World Languages.”

***§80057.5***

**(c)(5):** Adds the subject area of dance, and the course areas required to earn the authorization.

**(c)(5)-(c)(14):** All subsections are renumbered to (c)(6) through (c)(15) to reflect the addition of Dance to the list of authorizations in (c)(4).

**(c)(16):** Adds the subject area of theater, and the course areas required to earn the authorization.

**(h):** The paragraph is deleted in its entirety.

**(h):** A new paragraph (h) is added to state that English authorizations first issued prior to January 1, 2022 still authorize instruction in theater.

**(i):** A new paragraph (i) is added to state that PE authorizations first issued prior to January 1, 2022 still authorize instruction in dance.

***§ 80089.1***

The reference to “drama” is deleted and replaced with the word “theater” to maintain consistency with statute.

**(f):** Is deleted in its entirety because the Supplementary Authorization in Computer Concepts and Applications has been eliminated, and the sunset date by which to qualify has passed.

***§ 80089.2***

**(b)(4):** Existing subparagraph (14), regarding Introductory Computer Science, is moved here to reflect the alphabetical organization of the remainder of the subjects.

**(b)(5):** A new subparagraph (5) is added, including Introductory Dance in the list of introductory supplementary authorizations along with a requirement that at least one course be taken in jazz dance, contemporary dance, and dance theory.

**(b)(4)-(b)(15):** The subparagraph previously numbered 4, and subsequent subparagraphs, are renumbered to reflect the addition of the new subparagraphs 4 and 5.

**(b)(16):** A new subparagraph (16) is added, including Introductory Theater in the list of introductory supplementary authorizations along with a requirement that at least one course be taken in acting, directing, and stagecraft.

**(f):** Is deleted in its entirety because the Supplementary Authorization in Computer Concepts and Applications has been eliminated, and the sunset date by which to qualify has passed.

**(f):** A new paragraph (f) is added to state that English authorizations first issued prior to January 1, 2022 still authorize instruction in theater.

**(g):** A new paragraph (g) is added to state that PE authorizations first issued prior to January 1, 2022 still authorize instruction in dance.

***§ 80089.3***

**(b)(2):** Adds Dance, with the required content areas of jazz dance, contemporary dance, and dance theory, to the list of introductory subject matter authorizations. The former content of (2) is renumbered (3), and drama and theater are removed from the list of required content areas.

**(b)(2)-(7):** These subparagraphs are renumbered to (b)(4) through (b)(8) to reflect the insertion of a new subparagraph (2).

**(b)(8):** This subparagraph is added, to include Theater, with the required content areas of acting, directing, and stagecraft to the list of introductory subject matter authorizations.

## Documents Relied on in Preparing the Regulations

June 2016 Commission agenda item 6B – Analysis of Bills [ for document, send email to ArchiveRequest@ctc.ca.gov ]

 Approval of the June 2016 minutes [ for document, send email to ArchiveRequest@ctc.ca.gov ]

September 2019 Commission agenda item 5A – Draft Subject Matter Requirements and Draft Teaching Performance Expectations for the New Single Subject Theater and Dance Credentials: <https://www.ctc.ca.gov/docs/default-source/commission/agendas/2019-09/2019-09-5a.pdf>

 Approval of the September 2019 minutes:

<https://www.ctc.ca.gov/docs/default-source/commission/agendas/2020-01/2020-01-1a.pdf>

November 2019 Commission agenda item 3H – Proposed Blueprint for the New California Subject Examinations for Teachers (CSET) Single Subject Examinations for Theater and Dance: <https://www.ctc.ca.gov/docs/default-source/commission/agendas/2019-11/2019-11-3h.pdf>

 Approval of the November 2019 minutes:

<https://www.ctc.ca.gov/docs/default-source/commission/agendas/2020-01/2020-01-1a.pdf>

April 2020 Commission agenda item 6A – <https://www.ctc.ca.gov/docs/default-source/commission/agendas/2020-04/2020-04-6a.pdf>

 Approval of the April 2020 minutes: <https://www.ctc.ca.gov/docs/default-source/commission/agendas/2020-06/2020-06-1a.pdf>

CalPADS Code Sets v11.1 (Dated January 7, 2020):

<https://www.cde.ca.gov/ds/sp/cl/documents/codesetsv111-20200107c.xlsx>

## Economic Impact Assessment/Analysis

The proposed amendments implement, interpret, and make specific Education Code sections 44256, 44257, and 44258.9 pertaining to Theater and Dance credentials.

The purpose of the proposed addition and amendments are to clarify and make specific the following as related to Theater and Dance Credentials:

* Amend Title 5 CCR section 80004 to state that holders of English and PE credentials issued before January 1, 2022 will remain authorized to teach Theater and Dance, respectively.
* Amend Title 5 CCR section 80005 to add Dance and Theater to the list of single subject credentials issued by the Commission, and to reflect the use of the term “World Languages” in statute.
* Amend Title 5 of the CCR section 80057.5 to create Dance and Theater Supplementary Authorizations and to remove an outdated sunset date for the Supplementary Authorization in Computer Concepts and Applications.
* Amend Title 5 of the CCR section 80089.1 to reflect the use of “Theater” rather than “Drama.”
* Amend Title 5 of the CCR section 80089.2 to create Dance and Theater Introductory Supplementary Authorizations and to remove an outdated sunset date for the Supplementary Authorization in Computer Concepts and Applications.
* Amend Title 5 of the CCR section 80089.3 to create Dance and Theater Introductory Subject Matter Authorizations, and to remove theater from the English Subject Matter Authorization.
* Make additional amendments to the numbering of these sections for clarity and consistency purposes.

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 credentialing of theater and dance teachers. These amendments are necessitated by statutory changes and 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 credentialing of theater and dance teachers. These amendments are necessitated by statutory changes and 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 credentialing of theater and dance teachers. These amendments are necessitated by statutory changes and will not cause the expansion or elimination of existing businesses in California.

## Benefits of the Regulations

The Commission anticipates that the proposed amendments will help to clarify and implement the statutory changes adopted by the Legislature, which were intended to increase opportunities for experienced theater and dance professionals to enter the California teaching workforce. The changes promoted clarity by implementing these new and highly anticipated credentials and authorizations. The Commission also anticipates that the proposed amendments will benefit students attending public schools in the State of California and their families by assuring well-prepared and specialized theater and dance teachers. The Commission does not anticipate that the proposed regulations will result in an increase in the protection of public health and safety, worker safety, or the environment, the prevention of discrimination, the promotion of fairness or social equity, or an increase in the transparency in business.

## 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 and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

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 §17500) of the Government Code.

**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 Theater and Dance Credentials or Authorizations that authorize service in California’s public schools.