

Final Statement of Reasons

Problem Statement

There is no change to the public problem information since the original submission of the Initial Statement of Reasons.

Statement of Purpose

There is no change to the original purpose of the proposed action since the original submission of the Initial Statement of Reasons.

Necessity for Proposed Regulations

The proposed amendments include the following:

Amend 8033(d)(2): This change was necessary to remove the reference to the previous set of standards that was incorporated by reference and to instead reference the proposed regulations that include all of the standards and procedures. The previous set of standards were outdated and would no longer be relevant to the field and embedding the content of the new requirements into the regulations is the preferred approach at this time.

Adopt 80615: Definitions are necessary to ensure that the reader has clarity when reading and understanding the standards.

Adopt 80615(a): This section is needed to provide clarity about the variety of bilingual program models that exist in PK-12 public schools in California. These models need to be cited in these regulations in order that members of the public and programs understand the variety of types of bilingual program models in which new bilingual teachers may be assigned.

Remove 80615(f) Culturally Relevant: this definition was removed as culturally relevant is a common term used in education and there is no different definition as it relates to bilingual education.

Remove 80615(g) Culturally Responsive: this definition was removed as culturally responsive is a common term used in education and there is no different definition as it relates to bilingual education.

Adopt Amended 80615(g) Dual Language Immersion: this definition was amended to provide clarification on this type of bilingual program model and to distinguish it from other types of programs.

Adopt 80615(h) One-Way Immersion Program: this definition was amended to provide clarification on this type of bilingual program model and to better distinguish it from other types of programs.

Remove 80615(i) Distance Learning: this definition was removed as distance learning is a common term used in education and there is no different definition as it relates to bilingual education.

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Remove 80615(k) Racially Sensitive Practices: this definition was removed as the term is no longer included in the proposed text.

Adopt 80615.1 Preamble Paragraph: This preamble was added in order to clarify and explain that the subsections that follow are required for applications for a bilingual teacher preparation program. It outlines and clarifies that these materials will be assessed in order to determine approval.

Adopt 80615.1: This section is needed to be clear that proposed programs will need to demonstrate they are in compliance with the preconditions. Precondition language stems from statute or Commission policy and addresses compliance issues typically related to admissions or completion requirements. The preconditions require institutions to demonstrate that it is in compliance with the statute or Commission policy that the precondition addresses.

Adopt 80615.1 (a): The precondition in section 80615.1 (a) ensures that candidates for a Bilingual Authorization hold a prerequisite credential and English Learner Authorization per Education Code section 44253.4(b)(1), and 5 California Code of Regulations (CCR) sections 80015.1(a)(1) and 80015.2. This provision is necessary because candidates need to have demonstrated, or are in the process of demonstrating, the competencies for the basic teaching credentials in order to be eligible to be recommended for the bilingual authorization. By requiring a prerequisite credential it ensures that only those candidates that have already or in the process of demonstrating competence in basic teaching before (or simultaneously) adding the more complex and advanced content and pedagogy required of bilingual teachers.

Adopt 80615.1(b): - This section is necessary because it provides the specific list of acceptable prerequisite credentials one needs in order to add bilingual authorization. Without this provision, the types of credentials that may be accepted as prerequisite credentials could be misunderstood by the general public and by programs and result in candidates enrolling in a program, taking coursework, paying tuition, and yet, ultimately not being able to be recommended for the credential because they did not have the correct prerequisite credentials. Additionally, the list of prerequisite credentials are those that are considered “initial” or “base” credentials and cover all the critical knowledge, skills, and abilities the Commission has determined are essential for initial teaching credentials upon with added authorizations may be added. This section ensures that candidates for a bilingual credential have demonstrated that they meet the basic competencies for knowledge, skills, and abilities for entrance into the basic teaching profession.

Adopt: 80615.2 –These sections are needed in order to ensure that all bilingual programs in the state contain the same basic coverage of critical content necessary for the bilingual authorization standard. Program standards are necessary to ensure that all programs across the state leading to the same licensure contain coverage of specific content deemed necessary for that license. This allows programs to build programs that meet their own unique local needs while ensuring a common set of content and expectations for program curriculum, fieldwork and candidate performance. Standards are developed by content experts in the field and PK-12 (in this case, experts in bilingual education) employers, vetted widely, and adopted by the Commission. All commission approved programs must demonstrate that their program addresses these standards.

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Adopt 80615.2 Preamble: This preamble was added in order to clarify and explain that the subsections that follow are required for applications for a bilingual teacher preparation program. It outlines and clarifies that these materials will be assessed in order to determine approval.

Adopt 80615.2(a): This standard is necessary to require that each institution sponsoring the educator preparation program has designed the program in accordance with certain specifications such as course scope and sequence, field experiences, and partnering local education agencies in addition to identifying the research, theory and/or principles on which the program is based. It is also necessary to ensure that candidates are afforded a program that is well thought out and that sufficient attention is given to the design of a program. This provision is necessary in order to ensure that all bilingual authorization programs statewide, regardless of the manner in which they are designed, all include the same basic program design framework and foundations.

Adopt 80615.2(a)(1): This section is necessary to ensure that programs that candidates take to add the bilingual authorization are not simply a conglomerate of coursework. This section makes clear that a program design must be both cohesive and effective in ensuring that there is appropriate attention to theoretical and practice aspects of teaching bilingual students. This section is also necessary because of the diversity in California's student population and instructional school settings. Bilingual authorization programs must design a program to ensure that they prepare candidates for the variety of settings where they may work and for diversity of learners that they will teach.

Adopt 80615.2(a)(2): This section is necessary because it recognizes the importance of the expertise of program leadership to operate a program effectively as well as ensure clarity leadership roles. This section is necessary because it ensures that leadership of bilingual authorization programs also holds the authorization or otherwise has advanced degrees. These qualifications provide an assurance of at least a minimum level of expertise with bilingual students and programs.

Adopt 80615.2(b)(2): This provision is necessary because the BTPEs serve as the knowledge, skills and abilities upon which, by the end of the program, the candidates have demonstrated in order to receive the recommendation for the authorization. Because of the central role played by the BTPEs and the stakes involved in candidates being able to demonstrate these at the end of the program, the Commission has determined that candidate assessments should be based upon the BTPEs and that candidates be provided as much guidance and feedback as possible throughout the program. Without this provision, it is possible that programs simply assess a candidate on the BTPEs at the end and not provide guidance and support throughout the program. The result would be that many more candidates would fail to meet the BTPEs because they would not have been guided and supported and provided formative assessment throughout their growth within the program.

Adopt 80615.2(c): This standard establishes field experience requirements including minimum number of field hours a candidate must complete, the types of settings and the activities in which the candidate must participate and requires that the program describe the types of support and guidance that will be provided to each candidate during the field experience. This provision is

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necessary because a successful clinical practice experience must be carefully designed by programs. This section is necessary because it outlines the components that are important for a positive clinical practice experience for candidates. Without this section, programs may design experiences that do not include the school site (LEA) where the candidate is placed and therefore candidates may not get the types of experiences and opportunities that help them demonstrate the BTPEs. This provision is necessary to ensure a minimum number of hours required and the mentor support that is so critical to candidate guidance and support during their clinical practice experience. This provision is built on many years of research around the importance of clinical practice to teacher preparation, retention, and success.

Adopt 80615.2(d): This standard is necessary to ensure faculty, program supervisors, and mentors will monitor and support each candidate. The standard also ensures requirements are shared with candidates, and that those candidates who are having challenges with the work are provided additional supports and guidance. This provision is necessary because it clarifies that it is a joint responsibility of all program personnel to provide advising and accurate information to candidates. Without this provision, candidates may have an incomplete or inaccurate understanding of program expectations and requirements, and this may derail their academic success and completion of the authorization program.

Adopt 80615.2(e): This standard is necessary to ensure that each program guides and coaches candidates during the program and assesses each candidate's satisfactory completion of the program. It also identifies the types of assessment that must be documented prior to completion of the program. This section is necessary because it outlines the requirements for programs to determine candidate competence and because it will ensure that only candidates that have completed all requirements for the program will be recommended for the credential.

80615.2 (e) (1) This standard is necessary to ensure that candidates complete all program requirements prior to being recommended for a bilingual authorization. Guidance and coaching on the performance expectations are key to ensuring that candidates develop the knowledge, skills, and abilities required of the authorization and therefore this provision makes clear that providing both formative and summative assessments is required. Formative assessments are required because feedback and guidance from faculty and mentors is how teachers learn to teach and how they hone their pedagogical skills. Summative evaluations are necessary because they are how the candidate ultimately is deemed competent in the expectations of the authorization. This provision also makes clear that determining candidate competence involves a number of individuals who are responsible for helping develop and assess the candidate on the performance expectations prior to recommending for the credential. This network of faculty, mentor and program supervisors, by entrusting them with the use of documented evidence to ensure that candidates have met all requirements will ensure that all those holding this authorization/license have the requisite knowledge, skills and abilities for that license.

80615.2(e)(1)A and B) This standard is necessary to ensure that all candidates meet the language proficiency requirement prior to being recommended for a bilingual authorization. These provisions are necessary because they establish a consistent way for programs to determine that a candidate has the minimum language proficiency competence and allow some flexibility by offering two equally valid options. Sections (1) and (2) are necessary to identify the two options that the Commission determined is acceptable for candidates to meet this language proficiency

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requirement. Section (A) is necessary to identify that the California Subject Matter Examination for teachers is an acceptable means of demonstrating language proficiency. Section (B) is necessary to specify that the other allowable option is that a program may conduct a local assessment of the candidate and this section specifies what that assessment must contain as well as the level that must be established for passage. In order to further ensure that candidates who earn this authorization have a minimum and consistent level of language proficiency regardless of the which assessment option is exercised, the Commission has established an acceptable minimum rubric level that the locally designed assessment must be set. This minimum was agreed upon by the Commission after widespread vetting with the field and consulting with language experts. This section refers to the American Council on the Teacher of Foreign Languages (ACTFL) 2012 Proficiency Guidelines in this section as they are guidelines to candidate assessment. The ACTFL document is incorporated by reference but all of the text is not made fully available since it is an extremely large document, too cumbersome, and the Commission is only referring to a part of this document.

Adopt 80615.3 – overall necessity: Teaching Performance Expectations describe what a brand-new holder of a credential should know and be able to do on their first day as a fully credentialed teacher. Performance expectations are used in most all other teaching credential programs and provide a roadmap for programs upon which they can build their program and provide the foundation for assessing candidates for readiness to enter the profession. Preparation programs use the performance expectations to plan their program curriculum and field experiences for candidates. The performance expectations were drafted by the work group appointed by the Commission in 2020, submitted to the field for survey feedback, and then adopted by the Commission in 2021. By requiring all candidates in all bilingual authorization programs throughout the state to demonstrate competence in the same common set of performance expectations prior to being recommended for the license or authorization, the Commission is ensuring consistency in what that license or authorization means and that all candidates holding such an authorization has a common set of knowledge, skills and abilities.

Adopt 80615.3 Preamble Paragraph: This preamble was added in order to clarify and explain that the subsections that follow are required for applications for a bilingual teacher preparation program. It outlines and clarifies that these materials will be assessed in order to determine approval.

Adopt 80615.3(a): This performance expectation is necessary to require that each program ensures that all candidates have the knowledge, skills, and abilities to understand and value the socioeconomic, cultural, and linguistic background, funds of knowledge, and achievement expectations of students, families, and the community.

Adopt 80615.3(a)(6): This section was changed to provide greater clarity around the intent of the section to ensure that candidates use assets-based practices in working with student sand family and communities. This section was necessary in order to ensure that new bilingual teachers are equipped with pedagogical skills that recognizes all of the assets (linguistic, cultural, etc) that students bring to the classroom each day and to change the notion that they, their families, and communities are deficient. This section is needed to reflect new research around the importance of an assets-based approach to student academic achievement. This is an area in which experts in bilingual education deemed essential for all new bilingual educators.

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Adopt 80615.3(b): This performance expectation is necessary to require that each program ensures that all candidates have the knowledge, skills, and abilities to create welcome learning environments by promoting positive relationships and behaviors, promoting language education, supporting conflict resolution, and fostering a linguistically inclusive community. This is an area in which experts in bilingual education deemed essential for all new bilingual educators to be effective in California public schools.

Adopt 80615.3(c): This performance expectation is necessary to require that each program ensures that all candidates have the knowledge, skills, and abilities to use subject matter knowledge to plan, deliver, assess and reflect on content-specific instruction for all students, consistent with the California State Standards in the content area(s) of their credential(s) and language of the bilingual authorization. This is an area in which experts in bilingual education deemed essential for all new bilingual educators to be effective in California public schools.

Adopt 80615.3(d): This performance expectation is necessary to require that each program ensures that all candidates have the knowledge, skills, and abilities to design and implement engaging instructional practices and learning experiences for all students to develop bilingualism and biliteracy. This is an area in which experts in bilingual education deemed essential for all new bilingual educators to be effective in California public schools.

Adopt 80615.3(e): This performance expectation is necessary to require that each program ensures that all candidates have the knowledge, skills, and abilities to plan, develop, implement, and use a range of language and content assessments to inform and improve instructional design and practice. This is an area in which experts in bilingual education deemed essential for all new bilingual educators to be effective in California public schools.

Adopt 80615.3(f): This performance expectation is necessary to require that each program ensures that all candidates have the knowledge, skills, and abilities to seek opportunities to reflect on and improve their practice. This is an area in which experts in bilingual education deemed essential for all new bilingual educators to be effective in California public schools.

Adopt 80615.4, Overall Necessity: Section 80615.4 was added providing alternative language to replace the current 80033 (d) (2) where the Commission had proposed removing the incorporation by reference of the previous set of standards as the updated content is covered in 80615, 80615.1, 80615.2, and 80615.3. Section 80615.4 describes the submission requirements for an institution to offer a bilingual authorization program which had been previously contained in the outdated standards document incorporated by reference in 80033.

Adopt 80615.4 Preamble Paragraph: This preamble was added in order to clarify and explain that the subsections that follow are required for applications for a bilingual teacher preparation program. It outlines and clarifies that these materials will be assessed in order to determine approval.

Adopt 80615.4(a): The necessity for this section is to provide institutions a clearly defined list of documentation required to be submitted to the Commission to offer a bilingual authorization program.

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Adopt 80615.4(a)(1): This section is necessary to clearly establish that programs must verify its candidate credentials and be able to provide documentation of that verification process. This provision is necessary otherwise programs may try to recommend candidates who are not eligible for the bilingual authorization. Without proper verification, these candidates would take coursework, pay tuition, and possibly complete a program for which they are not eligible.

Adopt 80615.4(a)(2): This section is necessary to clarify for institutions that are designing bilingual programs the breadth and depth of documentation required when submitting program coursework for consideration. Program proposals lacking required documentation would not demonstrate alignment to one or more provisions of these regulations and therefore would not be approved. Course descriptions, course sequency and course syllabi are the core documents common to any educator preparation program where the information necessary for program approval is documented and is what will be needed by reviewers in order to determine whether the proposed program is aligned.

Adopt 80615.4(a)(3): This section is necessary to clarify for programs proposing to use a local assessment to determine language proficiency rather than the California Subject Examination for Teachers (CSET) examination, the type of documentation required to make sure that they use a passing standard that is set in accordance with 80615.2. It is important for the Commission to ensure that all candidates earning the same licensure across the state at different programs have, at minimum, consistent performance expectations. This provisions. ompetence in common that all programs uthis local assessment.

Adopt 80615.4(a)(4): This section is necessary to ensure that institutions submit program proposals that are designed to provide candidates with not only coursework related to the Bilingual Teaching Performance Expectations but also opportunities to practice and assess the Bilingual Teaching Performance Expectations.

Adopt 80615.4(b): The necessity for this section is to clarify for institutions the process of review of all documentation submitted for approval to offer a bilingual authorization program.

Adopt 80615.4(b)(1): This section clearly states for institutions submitting program proposals that those proposals must be reviewed and determined to be aligned. It is necessary to ensure that all proposed programs are reviewed for compliance with the regulations in 80615.1, 80615.2 and 80615.3.

Adopt 80615.4(b)(2): This section is necessary so that institutions seeking approval understand that feedback is provided in a written format and that it will occur in a timely manner, specifically within 30 days of the review of the proposal. The timeframe of 30 days was determined to be reasonable based upon an analysis of staff workload and capacity while ensuring a timely response for proposed programs to be able to continue to address any deficiencies and to move forward with their program submissions. The documentation is proposed to be in written form so that there is a public record of the review process.

Adopt 80615.4(b)(3): This section is necessary for institutions that submit proposals that are not approved and clarifies for these programs that they will receive feedback about what additional

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documentation is required. This documentation is proposed to be in written form so that there is a public record of the determination and so that the institution seeking program approval can move forward in addressing any deficiencies in their proposal, should they wish to do so.

Adopt 80615.4(b)(4): This section is necessary to ensure that institutions submitting program proposals understand that, should the initial review process lead to a determination that the proposed program is not aligned with the provisions and should the institution choose to resubmit, that there will be a subsequent review process of the additional documentation. This provision is necessary because it clarifies that the process is iterative and that it will repeat until documentation is determined to be aligned. Without this provision, programs that do not make it through the initial review process with a determination that everything is aligned, would have no way of resubmitting. This would lead to a lack of programs being approved and no way for institutions to remediate proposals that were deficient.

Adopt 80615.4(c) This section is necessary to explain to the public what the process will be once the review team has determined the proposal is aligned. Without this provision the public would not know the process for approval. This section discusses the Committee on Accreditation which has been delegated in Education Code to approve new educator preparation programs, including bilingual authorization programs, for the State of California and it explains that they will either approve or deny the proposals.

Adopt 80615.4(d): This section is necessary in order to make clear when a program can begin operating after approval. Programs are offered by a variety of institutions that all operate on different schedules – semester, trimester, quarterly, monthly and still others on entirely different schedules. By allowing institutions to operate immediately upon approval, it allows programs to operate as quickly as they are ready to based upon their own university or institutional academic calendar. In light of a dire teacher shortage in the state, and a shortage in the area of bilingual education, allowing programs to operate as quickly as they are approved helps address this shortage. It is also necessary in order to avoid programs beginning too soon prior to approval or not understanding when they can begin. This section also establishes the timeline for programs to be notified formally of their approval within 30 days of approval by the Committee on Accreditation. This timeline was chosen after a review of the workload involved and the Commission staffing and capacity to do this work. It provides sufficient time for staff to complete these notifications while also ensuring a timeliness for the institutions that want to offer the program quickly.

Consideration of Alternatives

Since the original rulemaking was initiated, no alternative considered by the agency would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Mandated Costs

These proposed regulations will not impose a mandate on local agencies or school districts.

Updated Tally of Responses

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No comments in favor of or opposed to the public announcement were received during the 45-day comment period.

Request for Information

One request regarding access to a copy of the regulations was received. This person was directed to the Commission rulemaking webpage where the regulation text was posted during the 45-day comment period. The request and response is attached as Exhibit A below:

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Exhibit A

From: [Roby, Lynette](#)
To: [Marshall Bellando](#)
Cc: [Gutierrez, Miranda](#)
Subject: RE: Request for rule copy of the proposed bilingual authorization rule
Date: Friday, January 27, 2023 2:02:00 PM
Attachments: [image001.png](#)

Good Afternoon Marshall –

Thank you for your email. The proposed Bilingual authorization regulation text can be found on the Commission’s Rulemaking Webpage at [Rulemaking \(ca.gov\)](#). It can be found under the title “ Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Bilingual Authorization.”

If you have any other questions, please let me know.

Lynette Roby
Professional Services Division
Commission on Teacher
Credentialing

From: Marshall Bellando <jmb@stateside.com>
Sent: Friday, January 27, 2023 10:09 AM
To: Roby, Lynette <Lynette.Roby@ctc.ca.gov>
Subject: Request for rule copy of the proposed bilingual authorization rule

Good afternoon Ms. Roby,

My name is Marshall Bellando and I am reaching out on behalf of Stateside Associates. I see a new rule was proposed in today’s (1/27/2023) edition of the CRNR which pertains to bilingual authorization for teachers. However, I cannot locate a copy of the rule on the website. Could I please be forwarded a copy of the proposed rule text? Thank you.

Best,
Marsha
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