

Updated Informative Digest

During the April 18, 2024 Commission meeting, Commissioners approved the proposed updates to the regulation text.

The Commission conducted two 15-day public comment periods to notice revisions to the regulation text and add documents to the rulemaking record. The first 15-day public comment period opened June 29, 2023, and closed July 15, 2023, with no comments received. The second 15-day public comment period opened March 1, 2024, and closed March 18, 2024, with no comments received.

There have been no other changes in applicable laws from the laws and effects described in the Notice of Proposed Action.

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

Education Code section 44374.5 authorizes the Commission to develop and implement a cost recovery plan for extraordinary accreditation activities. The Commission adopted regulations related to cost recovery fees for extraordinary accreditation activities at the September 27, 2013 Commission meeting. Emergency regulations were approved by Office of Administrative Law (OAL) in October 2013 and in 2014 the regulations became permanent.

In recent years, the restructuring of program standards plus the addition of performance expectations have necessitated revisions to the manner in which cost recovery fees are categorized. Accordingly, the Commission adopted regulations related to cost recovery fees for extraordinary accreditation activities at the September 27, 2013, meeting following the addition of Education Code section 44374.5, which authorized the Commission to develop and implement a cost recovery plan for extraordinary accreditation activities. Emergency regulations were approved by the Office of Administrative Law in October 2013, and in 2014 the regulations became permanent.

The Commission complied with the notice requirements contained in Education Code section 44374.5.

In December 2022, the Commission adopted proposed amendments to these regulations that updated the three categories of cost recovery fees with explicit identification of which credential program type falls under each fee category. This replaces the reliance on number of standards in a credential program and considers the complexity of a program's standards and performance expectations. Accordingly, a notice was submitted to OAL and a 45-day notice was

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posted May 12, 2023. The 45-day public comment period closed June 26, 2023. No comments were received.

During the 45-day posting the need for several minor edits was noted by staff. Those revisions were made to the regulation text and were adopted by the Commission at the June 15, 2023, meeting. These revisions were posted in a 15-day notice on June 29, 2023, following the closure of the 45-day notice. No comments or questions were received from the public and the revised Cost Recovery final rulemaking file was submitted to OAL for review July 21, 2023. The cost recovery rulemaking file was withdrawn on August 30, 2023. Pursuant to OAL's review, edits have been made to the regulation text. It should be noted that this rulemaking action does not propose changes to the regulations governing annual accreditation fees.

As a result, this rulemaking action proposes the following corrections in addition to the necessity for each:

- The introductory statement is now included in the organizational numbering of the regulation text and is 80692(a).
Necessity:
Originally, the introductory statement was not included as a part of the regulation text numbering. For ease of reading and as a matter of clarity the introductory statement has been revised to become a formal section of the regulations and is now listed as 80692(a).
- Cross-references to the California Code of Regulations (CCRs) and/or Education Code (EC) have been added to each listed credential and authorization.
Necessity:
For ease of reference, additional support, and as a matter of clarity, cross-referencing to the California Code of Regulations (CCRs) and/or to the Education Code (EC) has been included for each of the credentials and authorizations listed in the regulations.
- To clarify the list of credentials included in 80692(a)(1)(B)(4), each credential is now listed individually as follows: 80692(a)(1)(B)(5) - Education Specialist Instruction Credential: Deaf and Hard-of-Hearing; 80692(a)(1)(B)(6) - Education Specialist Instruction Credential: Visual Impairments; and 80692(a)(1)(B)(7) - Education Specialist Instruction Credential: Early Childhood Special Education.
Necessity:
While these credentials were originally referenced in the regulation text as one group of education specialist credentials, it was determined that separating the credentials and listing them individually provides for the following: ease of identification of each individual credential by institutions; ability to reference and communicate about each individual credential; and, ability to cross-reference to the appropriate CCRs and/or ECs for each individual credential.
- To clarify the list of credentials and authorizations included in 80692(a)(1)(D), each credential is now listed individually as follows: 80692(a)(1)(D)(1) - Special Education

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Added Authorization: Autism Spectrum Disorders; 80692(a)(1)(D)(2) - Adapted Physical Education Added Authorization; 80692(a)(1)(D)(3) - Special Education Added Authorization: Deaf-Blind; 80692(a)(1)(D)(4) - Early Childhood Special Education Added Authorization; 80692(a)(1)(D)(5) - Preliminary Resource Specialist Added Authorization: 80692(a)(1)(D)(6) - Clear Resource Specialist Added Authorization.

Necessity:

While these credentials were originally referenced in the regulation text as one group of education specialist credentials, it was determined that separating the credentials and listing them individually provides for the following: ease of identification of each individual credential or authorization by institutions; ability to reference and communicate about each individual credential or authorization; and, ability to cross-reference to the appropriate CCRs and/or ECs for each individual credential or authorization.

- The incorporation by reference of the Accreditation Handbook was initially removed from the regulations but has been reinstated in (a)(2)(C)2. and 3..

Necessity:

It was determined that removing incorporation by reference of the Accreditation Handbook unintentionally creates difficulties for institutions to identify the procedures necessary upon receipt of accreditation with stipulations. Including the incorporation by reference of the Accreditation Handbook provides institutions with a clear path to the processes required.

- Edits to numbering and formatting for purposes of review by OAL.

Necessity:

All numbering and formatting throughout the proposed text was updated to reflect the revisions made.

Updated Information

Regarding proposed subsection (a)(1)(E), the Commission is specifying a \$500 fee for adding a new intern pathway to an existing Commission-approved program. In California, educator preparation is delivered in one of two pathways: student teaching or intern. Under current regulations, a program that proposes to add an intern pathway to an existing student teaching program is assessed fees equivalent to a full program review which occurred when the student teaching pathway was proposed – \$2000. for institutions wishing to add an intern pathway to an existing program, a fee of \$500 is more reflective of the amount of work that is required to approve the intern pathway since the review of an intern pathway program is approximately 75 percent less work than a full program review.

In the Amendment of the Initial Statement of Reasons and the second 15-day notice, “April 18, 2024, Ageda Item 1C, Approval of April 2024 Consent Calendar, GS 1C-23” was identified as being added to the rulemaking record. However, April 18, 2024, Agenda Item 2C should have been identified rather than 1C.

Pursuant to the state process for promulgating regulations, the Commission opened a 15-day public notice on March 1, 2024. The 15 days closed on March 18, 2024 and no comments were received.

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Consideration of Alternatives

Since the original rulemaking was initiated, no alternatives were considered by the Commission and no alternatives were suggested by the public. No alternative 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.