

Commission Appeals for Education Specialist Credentials

Information and Instructions

Title 5, California Code of Regulations, Sections 80505 through 80522 allow an applicant to appeal to the Commission on Teacher Credentialing for the purpose of finding “equivalency” of an individual’s teaching experience in lieu of the student teaching component. These regulations are specific as to the procedures, criteria, quantity, and quality factors necessary for a Commission appeal.

The Commission’s Appeals and Waivers Committee holds a hearing to review the candidate’s teaching experience. In assessing the teaching experience, the members seek to find equivalence to the student teaching component in relation to the teacher preparation standards as set forth in the Standards of Program Quality and Effectiveness.

Commission appeals may be considered for individuals who have completed an Education Specialist Teacher Preparation Program for Mild/Moderate, Moderate/Severe, Deaf and Hard-of-Hearing, Visual Impairments, Physical and Health Impairments, Early Childhood Special Education, (with the exception of student teaching), and the California institution has been unable to supervise them in a current paid teaching position.

The following pages contain the Title 5 Regulations pertaining to the Commission appeal process as well as the necessary forms and requirements needed for Commission staff to prepare an application for review by the Appeals and Waivers Committee.

Criteria for Commission Appeals

1. The Commission has the authority to review only actual teaching experience to seek equivalency to the student teaching component.
2. There are no provisions in Title 5 Regulations allowing the Commission to grant equivalency for course work or exams. (All pertinent course work such as methods, curriculum, and program course work must be completed prior to filing for an appeal.)
3. The college or university must state it is unwilling or unable to supervise the candidate in a current paid teaching position. (A full explanation from the college or university is required. The applicant’s financial hardship is **not** a valid reason for an appeal.)
4. If the college or university **is** able to supervise the candidate in a current teaching position, the application will be denied by Commission staff and there shall be no basis for appeal.
5. A minimum of three years of satisfactory teaching experience submitted in lieu of the student teaching component must meet the following restrictions:
 - a. after completion of a baccalaureate degree
 - b. concurrent with or after a professional teacher preparation program
 - c. at the level and scope of the credential sought

Requirements for Commission Appeal for Education Specialist Teaching Credential Mild/Moderate, Moderate/Severe, Deaf and Hard-of-Hearing, Visual Impairments, Physical and Health Impairments, Early Childhood Education

Applicants must submit **all** of the following when applying for a credential on the basis of a Commission appeal:

1. A completed application form (41-4) with the current non-refundable application fee (Applicant should check the box at the top of the application for “CTC Appeal.”)
 2. A letter explaining the reasons for requesting an appeal
 3. Original transcripts from all colleges or universities attended
 4. Original test score reports, if applicable, including CBEST, RICA, MSAT, and PRAXIS
 5. Verification of subject-matter competence and all other applicable statutory course-work requirements, such as Reading and U.S. Constitution
 6. Verification of Program Completion (page 3) completed by a California college or university
 7. Verification of Experience (pages 4–8) completed by the employer
 8. Statement of Release of Student Records (page 9)
 9. A signed Notice of Denial/Notice of Open Hearing form (pages 10–11)
 10. Evaluations, observations, and additional materials supporting the appeal
 11. A written statement demonstrating the ability to develop, implement, and evaluate a variety of pedagogical approaches (Refer to the enclosed form.)
- *All paperwork must be typewritten. If originals are handwritten, the candidate must also provide a typewritten copy. All materials must be of sufficient clarity to make clear copies when sent to the printer.*

Notification will be sent as to the date and time of the Commission meeting. The candidate should plan on appearing before the Appeals and Waivers Committee to answer questions and/or provide additional information.



VERIFICATION OF PROGRAM COMPLETION For Education Specialist Instruction Credentials

Name: _____

This verifies that the individual named above has completed all program requirements, including all standards, (except student teaching) on

_____ for the Level I _____
Date of Completion *Type of Education Specialist Credential*

Education Specialist Instruction Credential	Requirements Completed to Institution's Satisfaction	
<i>Baccalaureate or Higher Degree</i>	Yes	No
<i>CBEST</i>	Yes	No
<i>Professional Special Education Preparation Program, including all standards, except student teaching</i>	Yes	No
<i>Subject Matter Equivalence or Examination</i> Name of Subject: _____ (except Early Childhood Special Education)	Yes	No
<i>Field Experience including Student Teaching</i> Name of Subject: _____	Yes	No
<i>Developing English Language Skills, including Reading</i>	Yes	No
<i>Reading Instruction Competence Assessment (RICA) (except Early childhood Special Education)</i>	Yes	No
<i>U.S. Constitution</i>	Yes	No
<i>This institution has determined that this individual has the personal qualities and preprofessional experiences necessary for professional success and effectiveness as a special education teacher. Refer to Title 5, California Code of Regulations, Section 80048.2(b)</i>	Yes	No
<i>This institution is unable or unwilling to provide supervision of the current assignment to meet the student teaching requirement.</i>	Yes	No

Explanation: _____

Reviewed by

<i>IHE Name</i>	<i>Authorized Signature</i>	<i>Title</i>
<i>Telephone Number</i>	<i>Date</i>	



VERIFICATION OF EXPERIENCE

For Education Specialist Instruction Credentials-Mild/Moderate or Moderate/Severe Disabilities

This form is to be used by all employers verifying actual special education teaching experience in lieu of student teaching.

This is to verify that _____ has been employed at
Name of Candidate

_____ from _____ to _____
Name of School *Beginning Date of Service* *Ending Date of Service*

as a teacher of _____
Special Education Area

The appellant has been supervised and evaluated at least _____ a year by
Number of Times

Name *Title*

Instructions to the Employer

- ▶ *A Temporary County Certificate (TCC) should not be issued on Commission appeal cases. A TCC should be issued by the employer only when it is determined the applicant has met all qualifications for a credential. A Commission appeal may be denied.*

The following standards are used to determine the competency and performance of the candidate for the student teaching component of a teacher preparation program for the special education teaching credential. These standards are for the Mild/Moderate and Moderate/Severe Disabilities only.

Please contact the Commission Office for information regarding the standards used for the student teaching component of the teacher preparation program for Deaf and Hard-of-Hearing, Visual Impairments, Physical and Health Impairments, and Early Childhood Education.

When responding to the standards provide **specific examples** that illustrate the candidate’s ability to meet the competencies if the answer is “Yes.” If the answer “No” is checked, explain the areas where improvement is needed.

Attach the annual evaluations and observations of classroom experience. For each year to be used in lieu of the student teaching an evaluation will be needed. If handwritten, a typewritten copy must accompany the appeal packet.

Please explain the kind of support provided this teacher by the school administration. Attach a separate sheet of paper listing mentor teachers, staff development, or course work that was provided to the candidate.

(continued)

Standard 22

Mild/Moderate and Moderate/Severe

Assessment and Evaluation of Students

The candidate must have the knowledge and skills to appropriately assess and evaluate students in the following **three** areas:

1. This candidate demonstrates knowledge and skills related to using and communicating the results of a variety of individualized assessment and evaluation approaches appropriate for students with mild/moderate/severe disabilities.

Yes

No

Justification citing specific examples: _____

2. This candidate is able to make appropriate educational decisions on the basis of a variety of non-biased standardized and non-standardized techniques, instruments, and processes that are functional, curriculum-referenced, and appropriate to the diverse needs of individual students.

Yes

No

Justification citing specific examples: _____

3. This candidate utilizes these approaches to assess the developmental, academic, social/behavior performance-based, social, communication, vocational, and community life skill needs of students, and the outcomes of instruction.

Yes

No

Justification citing specific examples: _____

Standard 23

Mild/Moderate and Moderate/Severe

Planning and Implementing Curriculum and Instruction

The candidate must have the specific skills and knowledge in the following **two** areas of curriculum and instruction:

1. This candidate demonstrates knowledge and skills in selecting curricula and in using instructional strategies to meet the diverse learning characteristics of students with mild/moderate or moderate/severe disabilities across an array of environments and activities.

Yes

No

(continued)

Justification citing specific examples: _____

2. This candidate uses assessment data to collaboratively develop IEP goals, objectives, adaptations, and instructional plans. The instructional plans are responsive to the unique needs of the student, general education settings, and the core curriculum, and are implemented and adjusted systematically to promote maximum learning and generalization.

- Yes
 No

Justification citing specific examples: _____

Standard 24

Mild/Moderate and Moderate/Severe

Positive Behavior Support

The candidate has specific skills and knowledge in the following **two** areas:

1. This candidate demonstrates competence in establishing and maintaining an educational environment that is free from coercion and punishment and where interventions are positive, proactive, and respectful of students.

- Yes
 No

Justification citing specific examples: _____

2. This candidate demonstrates the ability to design and implement positive behavioral support plans and interventions based on functional analysis assessments.

- Yes
 No

Justification citing specific examples: _____

Standard 25

Mild/Moderate

Characteristics and Needs of Individuals with Mild to Moderate Disabilities

The candidate has specific skills and knowledge in the following area:

This candidate is able to identify the characteristics of students with mild to moderate disabilities, including students identified as severely emotionally disturbed or behavior disordered, and to determine the implications of these characteristics for service delivery.

(continued)

- Yes
- No

Justification citing specific examples: _____

Standard 25

Moderate/Severe

Communication and Social Networks

The candidate has specific skills and knowledge in the following **two** areas:

This candidate collaborates with others to facilitate each student’s ability to effectively communicate and increase the extent and variety of social interactions to achieve meaningful social relationships. This includes assessment of verbal and non-verbal communication abilities and needs, identification of effective intervention techniques, development of needed augmentative systems, social skill instruction, and creating opportunities for interaction.

- Yes
- No

Justification citing specific examples: _____

Standard 26

Moderate/Severe

Curriculum

The candidate has specific skills and knowledge in the following **two** areas:

This candidate demonstrates the ability to work with IEP teams to develop Individualized Education Plans and to teach, adapt, modify, and integrate the curriculum within natural environments such as general education classrooms and schools, community, work, and recreation settings, to meet the specific needs of students with moderate to severe disabilities.

- Yes
- No

Justification citing specific examples: _____

(continued)

Standard 27

Moderate/Severe

Movement, Mobility, Sensory and Specialized Health Care

The candidate demonstrates specific skills and knowledge in the following **three** areas:

1. This candidate demonstrates knowledge of and ability to support the movement, mobility, sensory, and specialized health care needs required for a learner to participate fully in classrooms, schools, and the community.

Yes

No

Justification citing specific examples: _____

2. This candidate uses appropriate and safe techniques, procedures, materials, and adaptive equipment, including the use of technology.

Yes

No

Justification citing specific examples: _____

3. This candidate demonstrates knowledge of federal, state, and local policies related to specialized health care in educational settings.

Yes

No

Justification citing specific examples: _____

(continued)

I certify that the above competencies:

- have been attained by this credential candidate.
- have not been attained by this credential candidate.

<i>Signature of Principal or Supervisor</i>	<i>Date</i>	<i>Telephone Number</i>
<i>Signature of Superintendent of Personnel, Public School, or Executive Officer of Private School</i>	<i>Date</i>	<i>Telephone Number</i>



STATEMENT OF RELEASE OF STUDENT RECORDS

In order to evaluate your application for a credential based on a Commission Appeal, Commission staff will need to have complete information concerning your qualifications. This information may be contained in the student records at the institutions of higher education you have attended or with your employer.

Please sign the release statement below so that those institutions and employers will release the information to the Commission.

I, _____, (*print Full Legal Name*)
authorize the Commission on Teacher Credentialing to obtain any and all information from any college or university or employer regarding my qualifications for the credential for which I am appealing. I understand that this information will be used only for the purpose of my appeal evaluation.

Full Legal Signature

Date

For additional information concerning the privacy acts and the disclosure of information concerning student records see Section 67142 of Article 5, Privacy of Student Records, of Chapter 13, Student Records, commencing with Section 67100 of California Government Code.

Original of this statement must be returned to the Commission office with the appeal packet.



NOTICE OF DENIAL

Title 5, California Code of Regulations, Section 80506 requires Commission staff to deny an application prior to the initiation of a Commission appeal. If staff deem it unnecessary to deny your application because you have presented all necessary materials, we will need your signature on this statement.

Title 5 Section 80506. Notice of Denial

- (a) If an application for a credential is denied pursuant to any provision of this chapter, staff of the Commission shall give written notice to the applicant of the grounds on which the denial was made.
 - (b) Such notice of denial of the application shall be mailed or delivered in person to the applicant not later than ten days following the decision of the Commission staff to deny said application.
 - (c) Written notice, pursuant to this section, shall include:
 - 1) A statement that the application has been denied;
 - 2) A statement of the facts upon which the application has been denied;
 - 3) A statement of the informal hearing procedure and the rights of the applicant thereunder.
-

Authority cited: California Code of Regulations, Section 44225

Reference: California Code of Regulations, Section 44252(a)

In the event my application is denied by staff, please consider this letter a request for an appeal to the Commission.

I, _____,
Full Legal Name of Applicant (print)

wish this form to serve as my petition for the appeal of the denial of my application which is attached. I have read this form and understand my rights and responsibilities as stated on this form.

I certify under penalty of perjury that the facts stated herein are true and correct.

Full Legal Signature

Date

Original of this statement must be returned to the Commission office with the appeal packet.

(continued)

Rights of Appellant

Title 5 Section 80515

An appellant who has been denied a credential pursuant to this chapter shall have the following rights before the committee:

- (a) To present such written evidence as he or she feels is necessary or appropriate to the issues involved at any time up to and including the day of hearing;
 - (b) To present written or oral arguments to the Committee;
 - (c) To be represented by the person of his or her choice; and
 - (d) To choose not to appear before the Committee and to have such failure to appear not be considered either an admission or denial of the facts described in the written notice.
-

Authority cited: California Code of Regulations, Section 44225

Reference: California Code of Regulations, Section 44252(a)

I do plan on attending the Committee meeting.

I do not plan on attending the Committee meeting.

Signature

Date

Notice of Open Hearing

Title 5 Section 80516 Open Hearing (Appellant's Option to Closed Hearing)

The informal hearing shall be open, unless the appellant requests a closed hearing. Any request for such closed hearing shall be made and received at least **30 days** prior to the scheduled hearing. Testimony shall be limited to responses to questions by the Appeal and Waivers Committee members, written documents and oral presentations by witnesses registered with the chair of the Appeals and Waivers Committee prior to commencing the hearing. *(Emphasis added)*

If your case is heard in open hearing, the materials submitted by you to the Appeals and Waivers Committee will be published in the Commission Agenda, which is distributed monthly to approximately 150 subscribers, Commissioners, and Commission staff. Anyone interested may attend the actual informal hearing.

I request an open hearing for my Commission appeal.

I request a closed hearing for my Commission appeal. I understand that this request must be received by the Commission **at least 30 days** prior to the scheduled hearing.

A written request for a closed hearing must be sent to the Commission at the following address:

**Attention: Appeals and Waivers Committee
State of California
California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, CA 95811-4213**

Signature

Date

Original of this statement must be returned to the Commission office with the appeal packet.



COMMISSION APPEALS FOR EDUCATION SPECIALIST INSTRUCTION CREDENTIALS PEDAGOGICAL APPROACHES

The appellant must submit in writing a statement that demonstrates his or her knowledge of basic principles and strategies of assessment, curriculum, and instruction that are appropriate for individuals with special needs.

References: Title 5, California Code of Regulations, Section 80509(a)(3)(G)

Please provide a written statement that outlines your development of a lesson plan for a special day class or resource room. Focus the summary on the following concepts:

Describe the various characteristics of the students that you serve, including age, behavior, gender, learning disabilities, and social and cultural differences.

Describe various formal and informal techniques and assessments you could use to evaluate the special needs of the students.

Choose a particular subject (reading, mathematics, science) and design a lesson plan in this subject. Describe instructional materials that you might select and different methods and special education teaching strategies you could use to implement the lesson.

Describe how you would evaluate the lesson plan in terms of student learning. Explain how the results of the assessment could guide future instruction to meet individual student needs.

- ⊙ *All paperwork must be typewritten. If originals are handwritten, the candidate must also provide a typewritten copy. All materials must be of sufficient clarity to make clear copies when sent to the printer.*

Notification will be sent as to the date and time of the Commission meeting. The candidate should plan on appearing before the Appeals and Waivers Committee to answer questions and/or provide additional information.



DIVISION VIII OF TITLE 5, CALIFORNIA CODE OF REGULATIONS Section 80509 Pertaining to Commission Appeals

Section 80509. Appeal Grounds and Procedure.

- (a) The applicant shall initiate an appeal by filing with the Executive Director a written notice stating that the applicant appeals a particular decision of the Commission staff regarding the application, on the grounds of mistake of fact, mistake of law, or equivalence to the minimum requirements for the credential requested including the specific requirements set forth in this section. Applicants appealing under (1) or (2) below must meet the requirements in Section 80413(a) of Title 5 Regulations if qualifying for the preliminary credential and Section 80413(a)&(b) if qualifying for the professional clear credential other than that requirement being appealed. Applicants appealing under 3 below must meet the requirements in Section 80048.2(b) of Title 5 Regulations other than that requirement being appealed.
- (1) If the applicant is appealing to use actual teaching experience in lieu of the student teaching requirement for a Multiple or Single Subject Teaching Credential, the applicant must verify the completion of a minimum of three years of satisfactory classroom teaching experience. The experience shall meet the requirements described below:
- (A) “Year of classroom teaching” means classroom teaching for the minimum school day applicable to the level taught for at least 75 percent of the number of days the regular schools of the district were in session in the school year.
- (1) A school day for a multiple subject assignment shall be at least four hours exclusive of non-instructional time.
- (2) A school day for a single subject assignment shall be no less than three periods per day of teaching experience.
- (3) Long-term substitute or replacement teaching assignments may be considered when such assignments include all of the functions of the teacher of record. To be considered, experience must be a minimum of one semester or its equivalent in quarters (approximately 18 weeks) in the same assignment. Day-to-day substitute experience will not be cumulated to meet the requirement.
- (B) Actual teaching experience submitted by the appellant shall be assessed in relation to the professional teacher preparation standards.
- (1) The teaching experience shall be acquired after completion of a baccalaureate degree and professional teacher preparation program excluding student teaching verified in writing by an IHE (Institution of Higher Education) with a teacher preparation program accredited by the Committee on Accreditation in the credential requested. Experience acquired concurrently with a teacher preparation program will be considered only when verification from the IHE is submitted attesting to the fact that the university is unable or unwilling to provide supervision of the current assignment to meet the student teaching requirement.
- (2) An appellant who has been admitted to student teaching by an IHE but who has failed to complete the requirement because the IHE found the student teaching below acceptable performance levels as set forth in the IHE’s program standards shall not have grounds for appeal.

(continued)

- (C) The teaching experience shall be performed in public schools or agencies, or private schools accredited by the Western Association of Schools and Colleges (WASC). The appellant's employer or employers must verify that his or her competence and performance meet standards required of a student teacher.
 - (D) The appellant must submit comprehensive evaluations of successful teaching experience as well as a statement from each employer which explains how the appellant was evaluated, supported, and supervised, and by whom. The evaluations for the last year of experience submitted must show satisfactory or higher ratings in all areas.
 - (E) The teaching experience shall be a level, scope and responsibility beyond the service performed by an aide, reader, assistant, paraprofessional, tutor, day-to-day substitute, children's center or special center permit holder, consultant, or student practitioner.
 - (F) The teaching experience shall be appropriate to the setting of the credential being sought. For a Single Subject Teaching Credential the experience must be in a subject specified in Education Code Section 44257 which will be listed on the appellant's Single Subject Teaching Credential. For the Multiple Subject Teaching Credential the experience must be in self-contained settings.
 - (1) Adult school teaching experience, military teaching experience, and teaching experience in other non-traditional settings in the subject area of the credential being sought may be used to meet up to one-half of the experience requirement.
 - (2) An appellant may use experience in a self-contained special education classroom for up to one half of the required experience. This option applies only to the Multiple Subject Teaching Credential. Appellants cannot combine this option with option 1 above.
 - (G) The appellant must submit in writing a statement that demonstrates his or her ability to develop, implement, and evaluate a variety of pedagogical approaches to teaching academic skills and content areas appropriate to the credential.
- (2) A minimum of eight years of satisfactory teaching experience which have been acquired with no teacher preparation program may be considered by the Commission on an individual basis. The experience must be acquired after the completion of a baccalaureate degree. Such experience shall be verified in detail following criteria listed in (1)(A) and (C) through (G) above.
 - (3) If the appellant is appealing to use actual teaching experience in lieu of the student teaching requirement for a Specialist Instruction Credential in Special Education, the appellant must verify the completion of a minimum of three years of satisfactory special education experience. The experience shall meet the requirements described below:
 - (A) "Year of classroom teaching" means classroom teaching for the minimum school day applicable to the level taught for a least 75 percent of the number of days the regular schools of the district were in session in the school year.
 - (1) A school day for a special education assignment shall be at least four hours exclusive of non-instructional time.
 - (2) Long-term substitute or replacement teaching assignments may be considered when such assignments include all of the functions of the teacher of record. To be considered, experience must be a minimum of one semester or its equivalent in quarters (approximately 18 weeks) in the same assignment. Day-to-day substitute experience will not be cumulated to meet the requirement.
 - (B) Actual teaching submitted by the appellant shall be assessed in relation to the professional special education teacher preparation standards.

(continued)

- (1) The teaching experience shall be acquired after completion of a baccalaureate degree and special education teacher preparation program excluding student teaching verified in writing by an IHE with a special education teacher preparation program accredited by the Committee on Accreditation in the area requested. Experience acquired concurrently with a teacher preparation program will be considered only when verification from the IHE is submitted attesting to the fact that the university is unable or unwilling to provide supervision of the current assignment to meet the student teaching requirement.
 - (2) An appellant who has been admitted to student teaching by an IHE but who has failed to complete the requirement because the IHE found the student teaching below acceptable performance levels as set forth in the IHE's program standards shall not have grounds for appeal.
- (C) The teaching experience shall be performed in public schools or agencies, or non-public, non-sectarian schools or agencies certified by the California Department of Education. The appellant's employer or employers must verify that he or she meets the same competency standards required of a student teacher.
 - (D) The appellant must submit comprehensive evaluations of successful teaching experience as well as a statement from each employer which explains how the appellant was evaluated, supported, and supervised, and by whom. The evaluations for the last year of experience submitted must show satisfactory or higher ratings in all areas.
 - (E) The teaching experience shall be of a level, scope and responsibility beyond the service performed by an aide, reader, assistant, paraprofessional, tutor, day-to-day substitute, children's center or special center permit holder, consultant, or student practitioner.
 - (F) The teaching experience shall be appropriate to the authorized field of the Specialist Instruction Credential in Special Education being sought.
 - (G) The appellant must submit in writing a statement that demonstrates his or her knowledge of basic principles and strategies of assessment, curriculum, and instruction that are appropriate for individuals with special needs.
- (b) The petition shall be in writing and shall state the facts, information or circumstances upon which the appeal is based. The petition shall be signed and dated by the appellant, and shall include the following statement: "I certify under the penalty of perjury that the facts stated herein are true and correct."

Authority cited: Section 44225, California Education Code

Reference: Section 44252(a), California Education Code



COMMISSION APPEALS FOR EDUCATION SPECIALIST INSTRUCTION CREDENTIALS Instructions for Submitting an Application

When requesting a Commission appeal, please attach this as your cover sheet with your application and the supporting materials in the following order:

1. A completed application form (41-4) with the current non-refundable application fee (Applicant should check the box at the top of the application for “CTC Appeal.”)
 2. A letter explaining the reasons for requesting an appeal
 3. Original transcripts from all colleges or universities attended
 4. Original test score reports, if applicable, including CBEST, RICA, MSAT, and PRAXIS
 5. Verification of subject-matter competence and all other applicable statutory course-work requirements, such as Reading and U.S. Constitution
 6. Verification of Program Completion (page 3) completed by a California college or university
 7. Verification of Experience (pages 4–8) completed by the employer
 8. Statement of Release of Student Records (page 9)
 9. A signed Notice of Denial/Notice of Open Hearing form (pages 10–11)
 10. Evaluations, observations, and additional materials supporting the appeal
 11. A written statement demonstrating the ability to develop, implement, and evaluate a variety of pedagogical approaches. Refer to the enclosed form.
- ⦿ *All paperwork must be typewritten. If originals are handwritten, you must also provide a typewritten copy. All materials must be of sufficient clarity to make clear copies when sent to the printer.*

Notification will be sent as to the date, time, and location of the Commission meeting. The candidate should plan on appearing before the Appeals and Waivers Committee to answer questions and/or provide additional information. Refer to the enclosed Professional Teacher Preparation Standards.