

Date of Hearing: April 22, 2021

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 320 (Medina) – As Introduced January 26, 2021

SUBJECT: Teacher preparation programs: regionally accredited institutions

SUMMARY: Enables the Commission on Teacher Credentialing (CTC) to define, for purposes of determining the criteria for teaching credentials, regionally accredited institutions of higher education (IHE) as an IHE who was accredited by a regional accrediting agency as defined, or an IHE who received full accreditation status after five years of being conferred a reaccreditation status. Specifically, **this bill:**

- 1) Defines for clarifying purposes an IHE as an institution that grants baccalaureate or higher degrees.
- 2) Defines “regionally accredited” as either:
 - a) An IHE that has been approved or recognized by any of the following: Accrediting Commission for Senior Colleges and Universities, the Western Association of Schools and Colleges, the Higher Learning Commission, the Middle States Commission on Higher Education, the Northwest Commission on Colleges and Universities, the Middle States Commission on Higher Education, the Northwest Commission on Colleges and Universities, the New England Commission of Higher Education, or the Southern Association of Colleges and Schools Commission on Colleges; or,
 - b) An IHE who held a preaccreditation at the time of the degree conferral to the credential candidate and received full regional accreditation status within five years of the preaccreditation status.
- 3) Permits the CTC to adopt rules and regulations for establishing the requirements of regional accreditation.
- 4) Expands requirements for verification of subject matter competency for single subject teaching credentials to include:
 - a) Successful completion of coursework at one or more regionally accredited institutions of higher education that addresses each of the sections of the subject matter requirements adopted by the CTC in the content area of the credential, as defined.
 - b) A combination of successful completion of coursework and passage of a subject matter examination which address each section of the subject matter requirements adopted by the CTC in the content area of the credential, as defined.
- 5) Defines an accredited elementary or secondary private school as a school who has received accreditation from either the Accrediting Commission for Schools, the Western Association of Schools and Colleges, or a comparable K-12 school regional accrediting agency serving another region in the United States. Clarifies that National or private accrediting agencies do not meet this definition.

- 6) Makes technical and conforming changes.

EXISTING LAW:

- 1) Establishes the geographic scope of accrediting activities for accrediting agencies and stipulates the agency must demonstrate that its accrediting activities cover either:
 - a) A State, if the agency is part of a State government; or,
 - b) A region or group of States chosen by an agency in which the agency provides accreditation to a main campus, a branch campus, or an additional location of any institution as defined;
 - c) The United States (Code of Federal Regulation Title 34, section 602.11, subsection (b)).
- 2) Requires the United States' Secretary of Education to publish a list of recognized accrediting agencies along with each agency's scope of recognition on the Federal Register website. A copy of the aforementioned list may be obtained by the public at any time and the list will be made available on the Department's website.
 - a) Establishes if the Secretary denies an accrediting agency recognition or if the Secretary limits, suspends, or terminates the agency's recognition before the end of its recognition period, the Secretary will publish a notice of the action on the Federal Register's website. The Secretary will also make the reason of the action available to the public upon request (Code of Federal Regulations Title 32, Section 602.2 Subsection (a)).
- 3) Establishes it is the intent of the Legislature that the CTC has the authority to provide licensure for all services provided to pupils in grades 12 or below. It is not the intent of the Legislature to authorize the Commission to issue credentials authorizing service for California Community College (CCC) faculty or any IHE (Education Code (EDC) Section 44202).
- 4) Defines for the public the following, as it pertains to the chapter of law regarding teacher credentialing:
 - a) Professional teacher certification requirements is the policy of requiring each beginning teacher to complete a program of planned support and systematic assessment as determined by the commission as a condition for earning a professional teacher credential.
 - b) Beginning teacher support is a combination of assistance, guidance, encouragement, and diagnostic assessment that helps teachers with preliminary teacher credential fulfill their professional responsibilities for their first two years of classroom teaching and satisfies standards of support adopted by the CTC.
 - c) Beginning teacher assessment is a process that has been adopted or approved by the commission for measuring the performance of teachers with a preliminary teaching credential in order to help them improve, and to determine whether their performance satisfies the CTC's standards of performance to earn a professional credential.

- d) Authorization is the designation that appears on a credential, certificate, or permit that identifies the subject and circumstances in which a teacher may teach or defines the services the holder may render in a public school.
- e) Basic teaching credentials meet the prerequisite credential requirements for any other teaching, specialist, or service credential the commission is authorized to issue and are defined as either of the following:
 - i) A credential that authorizes the holder to teach the subjects named on the credential and for which possession of a bachelor's degree from a regionally accredited institution and completion of a professional preparation program that includes student teaching as a minimal requirement; or,
 - ii) A clear designated subjects teaching credential that authorizes the holder to teach the subjects named on the credential on a full-time basis if the holder also possesses a baccalaureate degree from a regionally accredited institution and has passed the state basic skills proficiency exam (EDC Section 44203).

FISCAL EFFECT: Unknown

COMMENTS: *Double Referral.* This measure was heard by the Assembly Education Committee on March 25, 2021, and passed out with a vote of 7-0.

Purpose of the bill. According to the author's office, "now, more than ever, California needs more teachers. Despite the worsening shortage across the state, the process of obtaining a teaching credential is unfairly burdensome for those who have successfully completed their training before their institutions were accredited. AB 320 is a simple and commonsense solution that would eliminate needless barriers for qualified individuals pursuing a teaching credential."

One of the existing barriers to obtaining a teacher credential from the CTC is the requirement that the candidate's bachelorette degree must be from a regionally accredited IHE. Accreditation is a vital process higher education institutions undergo in order to assure the public their degrees and instruction adhere to a recognizable and trusted standard. The process of accreditation takes years and campuses often issue degrees before they are fully-accredited. According to the Commission on Teacher Credentialing (CTC), existing law prohibits students who received a baccalaureate degree from a higher education institution while the institution underwent the accreditation process, pre-accreditation phase, from becoming teachers even if the higher education instruction received accreditation in subsequent years.

The only method available to these students to become teachers is for CTC to meticulously examine the individual appeal case of each student and issue a waiver to each student even if by all other definitions the student is qualified to become a teacher. Not only is this process laborious for both the CTC and the student, but it takes considerable time which in turn delays a qualified teacher from the classroom. In 2017, the CTC believed they had the authority to pass Title 5 regulations to clarify that the Commission has the authority to recognize a baccalaureate degree conferred by an institution prior to their regional accreditation. This regulation amendment would have permitted CTC to provide credentials to qualified teachers with bachelorette degrees from institutions who had, after the degree conferral, received regional accreditation without an exemption review. However, the California Office of Administrative

Law determined the suggested regulation change would be denied as the CTC does not have statutory authority to make this change in the regulations.

California teacher shortage. In the 2019-2020 academic year, the California public education system is comprised of 1,037 districts that oversee 10,588 schools and educate 6,163,001 students. In the 2018-2019 school year districts employed 319,000 teachers and roughly three percent of the teacher workforce had an emergency credential which suggests that despite gradual increase in the teacher workforce, districts still find it difficult to find qualified teachers. The COVID – 19 pandemic has exasperated the shortage due to rising numbers in early retirement and resignations. According to the California State Teachers’ Retirement System (CalSTRS) teacher retirements have increased 25% during the second half of 2020 when compared to the same period in 2019 and of those who are retiring 62% are retiring earlier than planned. In a March 2021 report by the Learning Policy Institute on the impacts of COVID – 19 on the teacher workforce it was found teacher shortages are acutely felt in the math and sciences with nine out of the seventeen districts interviewed experiencing teacher shortages. In order to combat the teacher shortage, new pipelines and pathways must be established to ensure the quality of education continues in the State. In the same report by the Learning Policy Institute, barriers to entry were identified as one of the reasons for the limited pool of qualified teachers. AB 320 seeks to rectify one of these existing barriers.

Accreditation of higher education institutions. According to the United States Department of Education (USDE), the purpose of accreditation is to guarantee that institutions of higher education are maintaining acceptable levels of quality in the education and services they provide. Accreditation is vital due to its connection to federal financial aid programs; specifically, a student may not receive federal financial aid to attend an institution that is not accredited by a USDE approved accrediting agency. Accreditors are private educational associations who develop evaluation protocols and conduct evaluations of institutions to determine whether or not institutions receive accreditation. These accreditors either approve higher education institutions within a specific region or nationally. The USDE is tasked with ensuring these accrediting agencies are enforcing quality standards effectively and the Secretary of the USDE determines which accreditors are reliable authorities on the quality of education or training provided by higher education programs. Regional accreditors mainly accredits colleges that are more academically orientated such as non-profit or public higher education institutions; whereas national accreditors typically provide accreditation to for-profit higher education institutions or colleges that offer career, technical, and/or vocational programs.

According to the CTC the acceptable regional accrediting bodies are:

Middle States Association of Colleges and Schools (MSA)/Commission on Higher Education	Provides regional accrediting services to: Washington DC, Delaware, Florida, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, the U.S. Virgin Islands, and Overseas.
The Northwest Commission on Colleges and Universities	Provides regional accrediting services to: Utah, Idaho, Washington, Alaska, New York, Oregon, Nevada, Montana, and Costa Rica.
The Higher Learning Commission	Provides regional accrediting services to: Arizona, Arkansas, Colorado, Illinois, Indiana,

	Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, West Virginia, Wisconsin, and Wyoming.
New England Commission on Higher Education	Provides regional accrediting services to: Alabama, Georgia, Kentucky, Florida, Louisiana, Mississippi, North Carolina, Tennessee, Texas, Virginia, and Latin America.
Southern Association of Colleges and Schools/Commission on Colleges	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and Overseas.
Western Association of Schools and Colleges/ Accrediting Commission for Community Schools and Junior Colleges (WSCUC)	California, Hawaii, Guam, American Samoa, Federated States of Micronesia, Republic of Palau, Commonwealth of Northern Marianas Island, Pacific Basin, and East Asia.
Western Association of Schools and Colleges/ Senior College and University Commission	California, Hawaii, Guam, American Samoa, Federated States of Micronesia, Republic of Palau, Commonwealth of Northern Marianas Island, Pacific Basin, and East Asia.

The WSCUC is the accrediting agency for each of the California State University (CSU) and University of California (UC) campuses. Higher education institutions, who are accredited by WSCUC, share a common set of commitments that focus on students, safeguard academic quality, and assure integrity, accountability, and transparency. According to the WSCUC website, receiving accreditation is a tedious process of three phases that may take new institutions up to five years before receiving full accreditation. The three phases are eligibility, preaccreditation/candidacy, and initial accreditation. Through each phase the IHE and WSCUC work collaboratively to maintain and confirm that the WSCUC standards for quality are being met by the IHE. During the accreditation process, institutions are granted pre-accreditation status and are permitted to admit and matriculate students. This bill would acknowledge the accreditation timeline and increase the pool of teaching candidates to include those who received a degree from a regionally accredited institution prior to the accreditation conferral date.

Existing waivers. As previously mentioned, it is within the CTC authority to review waivers from school districts, county offices of education, private schools, and institutions of higher education requesting exemptions from the provisions governing the preparation and licensing of teaching candidates. Regional accreditation waivers are provided if the CTC determines the candidate’s degree was reasonably or academically similar to a degree from a regionally accredited IHE.

On February 2018, the CTC approved a regional accreditation waiver for a teacher candidate who completed their bachelor’s degree from Clarks Summit University. In the agenda item, the CTC explained since June 2017 the Commission has waived five regional accreditation

requirements for five other candidates whose degrees were conferred during the institution's pre-accreditation phase. In the February 2018 case, the decision to provide the teacher candidate with a waiver was determined by correspondence between the accrediting agency, the local education agency (K-12 district) who sought to employ the teacher candidate, the university, and the CTC who confirmed the accreditation status of the IHE in question and the similarities in the degree conferred and degrees conferred after accreditation. To date, the CTC has never denied a waiver request related to a degree conferred prior to regional accreditation.

Recent historical perspective provides rationale for the necessity of the bill when one considers the accreditation of the University of California (UC), Merced. UC Merced first opened its doors to students in 2005 and graduated its first cohort of students in 2009; however, UC Merced did not receive full accreditation status from WSCUC until 2011. Under existing law, any student who graduated from UC Merced in 2009 or 2010, would be ineligible to be teachers in the state of California as their bachelor's degree is seen as invalid as it was obtained prior to accreditation. In the last twenty years, in addition to UC Merced, California State University (CSU), Monterey Bay and CSU Channel Island conferred degrees to students prior to full accreditation. Potentially there are hundreds of qualified students who are deemed ineligible from entering a rewarding and lucrative career solely based on the date on their diploma.

Arguments in support. The CSU Chancellor's office expressed their support "as it would define "regionally accredited" in a manner that would increase the opportunities for teaching candidates to receive their credential and expand the teaching pool during a critical period of time."

Committee comments. Due to the ongoing COVID-19 pandemic and the truncated schedule for policy hearings, an array of technical and clarifying amendments were requested by the author for AB 320 along with the following substantive amendments which are being processed as Committee amendments:

- Adds district intern programs as qualifying preparation programs for teachers to Section 44203 (b)(A) A credential that authorizes the holder to teach the subjects named on the credential, and for which possession of a baccalaureate degree from a regionally accredited institution of higher education and completion of a professional preparation program that includes student teaching or *completion of a district intern program pursuant to 44325* are minimum requirements.
- Adds community college bachelorette degrees that are from regionally accredited community colleges to the list of qualifying bachelorette degrees for a teacher credential. *Section 44203 (i) A community or junior college that confers baccalaureate degrees and is regionally accredited by an accrediting agency listed in (A) or by the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges may meet this definition.*
- Removes Section 44203 (g)(2) ~~The commission may adopt rules and regulations for purposes of this subdivision.~~
- Adds Section 44256 and makes technical and clarifying changes.
- Adds Section 44258.2 and makes technical and clarifying changes.

- Amends Section 44259 to make technical and clarifying changes.
- Amends Section 44259.1 (d) to make technical and clarifying changes.
- Deletes the proposal for AB 320 to provide a definition of an accredited private elementary or postsecondary school as the CTC has the authority to accomplish this through regulation changes and restores the code to existing law: Removes the addition of Section 44259.2 (c) *For purposes of this section, “accredited private school” means a school accredited by the Accrediting Commission for Schools, the Western Association of Schools and Colleges, or a comparable K–12 school regional accrediting agency serving another region within the United States. National or private accrediting agencies do not meet this definition.*
- Adds Section 44265 and makes technical and clarifying changes.
- Adds Section 44311 and makes technical and clarifying changes.
- Adds Section 44313 and makes technical and clarifying changes.
- Adds Section 44244 and makes technical and clarifying changes.

Moving forward the author may wish to remove EDC Section 44259 from the bill as the same amendments to the code section are included in AB 437 (Kalra) which currently resides in the Appropriations Committee. If both bills move forward the Section is redundant.

Current and Prior Legislation.

AB 437 (Kalra) provided flexibility to candidates for teaching credentials by permitting them to demonstrate subject matter competency through either one or a combination of the following: successful completion of approved higher education coursework or successful completion of subject matter examinations. This bill currently resides in the Assembly Appropriations Committee

AB 2541 (Medina) of 2020, was substantially similar and defined regionally accredited as IHE who are accredited by the Accrediting Commission for Senior Colleges, the Western Association of Schools and Colleges, or by a comparable accrediting agency serving another region within the United States and would have enabled a teacher candidate who received a degree conferral from an institute who received regional accreditation within five years of preaccreditation status. This bill was held in the Senate Education Committee.

AB 2485 (Kalra) of 2020, would have provided flexibility to candidates for teaching credentials by permitting them to demonstrate subject matter competency through either one or a combination of the following: successful completion of a CTC approved program, approved higher education coursework or successful completion of subject matter examinations. This bill was held in the Senate Education Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Association of California School Administrators
California County Superintendents Educational Services Association (CCSESA)
California Faculty Association
California State University, Office of The Chancellor
The Commission on Teacher Credentialing

Opposition

None on file.

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