

Date of Hearing: March 24, 2021

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 320 (Medina) – As Introduced January 26, 2021

[This bill has been double referred to the Assembly Committee on Higher Education and will be heard in that committee related to their jurisdiction.]

SUBJECT: Teacher preparation programs: regionally accredited institutions

SUMMARY: Defines a “regionally accredited” institution of higher education (IHE), for purposes of defining the minimum requirements for a teaching credential, as an IHE that was accredited by a regional accrediting agency at the time of degree conferral, or an IHE that held preaccreditation status at the time of degree conferral and which achieved full regional accreditation within 5 years. Defines “accredited private school” for purposes of defining professional field experience requirements of individuals with full-time teaching experience in those schools. Specifically, **this bill**:

- 1) Defines “regionally accredited” as:
 - a) An IHE that has been approved or recognized by the Accrediting Commission for Senior Colleges and Universities, the Western Association of Schools and Colleges (WASC), the Higher Learning Commission, 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 that held preaccreditation status at the time of degree conferral, if the institution achieved full regional accreditation status within five years of earning preaccreditation status.
- 2) Defines “accredited private school” as a school accredited by the Accrediting Commission for Schools, WASC, or a comparable K–12 school regional accrediting agency serving another region within the United States. States that national or private accrediting agencies do not meet this definition.
- 3) Defines “institution of Institution of higher education” as an institution that grants baccalaureate or higher degrees.
- 4) Makes technical and conforming changes.

EXISTING LAW:

- 1) Defines “basic teaching credential” as either:
 - 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 and completion of a professional preparation program that includes student teaching are minimum requirements.

- b) 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 test. (Education Code (EC) 42203)
- 2) Establishes the following minimum requirements for the preliminary multiple and single subject teaching credential:
 - a) A baccalaureate degree or higher degree from a regionally accredited institution of postsecondary education;
 - b) Passage of the state basic skills proficiency test (CBEST);
 - c) Satisfactory completion of a program of professional preparation that has been accredited by the Committee on Accreditation;
 - d) Study of alternative methods of developing English language skills;
 - e) Completion of a subject matter program that is approved by the Commission on Teacher Credentialing (CTC), or passage of the state subject matter examination (CSET);
 - f) Demonstration of knowledge of the principles and provisions of the Constitution of the United States; and
 - g) Demonstration of basic competency in the use of computers in the classroom. (EC 44259)
 - 3) Specifies that an integrated program of professional preparation will allow candidates for teaching credentials to engage in professional preparation, concurrently with subject matter preparation, while completing baccalaureate degrees at regionally accredited postsecondary educational institutions. (EC 44259.1)
 - 4) Requires the CTC to waive the requirement for completion of a program of professional preparation for any individual who has a minimum of six years of full-time teaching experience in an accredited private school, and who complies with specified requirements to demonstrate their qualifications. (EC 44259.2)
 - 5) Requires the CTC to waive the professional field experience component of a program of a professional preparation program for any individual with a minimum of three years of full-time teaching experience in an accredited private school in the subject and level of the credential sought, who complies with specified requirements to demonstrate their qualifications. (EC 44259.2)
 - 6) Requires the CTC to review requests from school districts, county office of education, private schools, and postsecondary institutions for the waiver of provisions governing the preparation or licensing of educators. The commission may grant a waiver upon finding that professional preparation equivalent to that described under the provision to be waived will be, or has been, completed by the credential candidate, or if the waiver is necessary to provide specified temporary exemptions. (EC 4425(m))

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. According to the author, “California needs more teachers. The process of obtaining a teaching credential should not be more burdensome for some than others. AB 320 is a simple and commonsense fix that would lessen needless barriers for qualified individuals trying to pursue a teaching credential.”

What does this bill do? A bachelor’s or higher degree from a regionally accredited IHE is one of the minimum requirements for enrolling in a teacher preparation program and earning a teaching credential. Individuals who earn a degree from an IHE that was in the process of achieving regional accreditation are not eligible to earn a teaching credential, even if the IHE is granted regional accreditation the day after the degree was conferred. The curriculum program requirements for degrees conferred by an IHE with preaccreditation status are typically substantially similar to those for degrees conferred after an IHE has achieved full regional accreditation. This bill would increase the number of qualified individuals eligible to become teachers by defining a “regionally accredited” IHE as (1) an IHE that has been accredited by a regional accrediting agency, or (2) an IHE that had a status of preaccreditation at the time of degree conferral, provided that full regional accreditation was achieved within five years of preaccreditation. This would prevent otherwise qualified candidates from being denied a credential based on the timing of their chosen IHE’s accreditation timeline, rather than the quality of the degree granted by the institution.

Accreditation of institutions of higher education. Higher education accreditation offers an assurance to the public that a school has met and is maintaining a high level of standards set by an accrediting agency. The U.S. Department of Education’s (USDOE) website defines accrediting agencies as “organizations (or bodies) that establish operating standards for educational or professional institutions and programs, determine the extent to which the standards are met, and publicly announce their findings.” Institutions may be nationally or regionally accredited. The Council for Higher Education Accreditation (CHEA) and the USDOE recognize a number of national accrediting agencies, which historically approve career, vocational, trade, and for-profit schools. The great majority of public and nonprofit colleges and universities are regionally accredited, which is typically considered to be a more rigorous academic standard of accreditation than a national accreditation. The USDOE recognizes six regional accrediting agencies that all have similar standards for accrediting degree-granting colleges and universities. The WASC Senior College and University Commission (WSCUC) is the accrediting agency for IHEs in California, Hawaii, and the Pacific Basin. IHEs that are accredited by WSCUC share a common set of commitments that focus on students, safeguard academic quality, and assure integrity, accountability, and transparency. Accreditation by WSCUC or another approved regional accrediting agency assures the CTC of the quality of a bachelor’s or higher degree held by an individual pursuing a teaching credential.

The process for achieving regional accreditation typically takes several years and involves multiple steps during which the IHE must demonstrate its plan for, progression towards, and achievement of the standards outlined by their chosen regional accrediting agency. The WSCUC outlines three stages to becoming accredited:

- 1) **Eligibility:** This status is conferred on IHEs that WSCUC deems to have the potential to meet the WSCUC standards at a minimum level, and thus progress to preaccreditation/candidacy status. To achieve a status of eligibility, an IHE must submit a formal notification of intent to

apply for accreditation and complete an eligibility application that addresses how the IHE will address each of the WSCUC criteria.

- 2) **Preaccreditation/candidacy:** This status indicates a preliminary affiliation with the Senior College and University Commission, awarded for a maximum of five years following a procedure for institutional review that includes self-study and on-site visitation. Candidacy indicates that the IHE meets all or nearly all the WSCUC standards at a minimum level. Candidacy is not accreditation and does not ensure eventual accreditation, but it does mean that the IHE is progressing toward accreditation. Within two years of granting candidacy to an IHE, a visiting team from WSCUC conducts a second visit focused on areas that were minimal or non-compliant during the first visit. Visits continue to take place until substantial compliance is achieved or the five-year Candidacy period expires. If compliance is not achieved within those five years, WSCUC would deny Initial Accreditation.
- 3) **Initial Accreditation:** This status indicates the institution has met WSCUC standards at a substantial level. Initial accreditation is awarded for a period of six years before the next comprehensive review. An onsite visit is required before the WSCUC will grant initial accreditation.

This bill defines “regionally accredited” as (1) an IHE that has been accredited by a regional accrediting agency, or (2) an IHE that held preaccreditation status at the time of degree conferral, if the IHE achieved full accreditation within five years of preaccreditation. This definition would apply to all references to regional accreditation regarding the requirements for teacher preparation and credentialing established by the CTC.

Is a degree conferred by a preaccredited IHE substantially similar to one conferred after it achieves full regional accreditation? The intent of existing law is to require teacher candidates to obtain a baccalaureate degree from a regionally accredited IHE in order to ensure the academic quality of the degree. However, the law also prohibits candidates from earning a teaching credential if their degree is from an IHE that was in the process of becoming regionally accredited and that had a status of regional preaccreditation/candidacy at the time of conferral—even if full regional accreditation was later granted. This raises the question of whether a degree conferred by an IHE that is in the process of achieving regional accreditation, and which is granted full regional accreditation within the 5-year preaccreditation period, is qualitatively different from a degree conferred after regional accreditation is achieved.

CTC regulations do not allow an IHE to determine whether or not a graduate’s degree granted prior to regional accreditation is equivalent to a degree granted after regional accreditation. In order for an otherwise qualified candidate who received a degree from an IHE before it achieved regional accreditation to be eligible to pursue a teaching credential, the CTC must waive the regional accreditation requirement for the candidate.

The CTC is required to review requests from school districts, county offices of education, private schools, and IHEs for the waiver of provisions governing the preparation or licensing of educators, including waiver of the regional accreditation requirement for IHEs granting degrees to teacher candidates. The CTC may grant a regional accreditation waiver if it finds the candidate’s degree was equivalent to a degree from a regionally accredited IHE. The CTC may grant a waiver if it finds that “professional preparation equivalent to that prescribed under the provision...to be waived will be, or has been, completed by the credential candidate...”

In 1994, the CTC established policies on case-by-case requests to waive regional accreditation requirements, which consist of the following four principles:

- 1) Waivers are temporary and are intended to mitigate the adverse impact of credential requirements by providing additional time for individuals to meet those requirements;
- 2) Waivers are granted to enable educational institutions to achieve goals established by the state;
- 3) Waivers are permissible if the outcome of such a waiver will provide significant help in addressing identified critical needs of schools and school children; and
- 4) Waivers are permissible if there are accompanying mechanisms for assuring that Commission standards are not lowered and that quality of preparation is maintained under the waiver provisions.

In April 2016, the CTC approved a regional accreditation waiver request that was submitted on behalf of an individual graduate by Academy of Art University (AAU). The individual had completed their bachelor's degree while the IHE was in the process of obtaining regional accreditation. The CTC permanently waived the requirement for this candidate to hold a bachelor's degree from a regionally accredited IHE, citing that the degree earned by the candidate was sufficiently comparable to degree requirements in place after the institution was fully accredited.

Since the approval of the April 2016 waiver request from AAU, the CTC has reported a sharp increase in the number of requests to waive the regional accreditation requirement (CTC, June 2017 agenda), including five in September 2017, one in October 2017 and one in February 2018. Of these seven requests, six were on behalf of graduates who received a bachelor's degree from an IHE that had regional preaccreditation status at the time of degree conferral and which had since achieved full regional accreditation. In one case, regional accreditation was granted only twelve days after the candidate's degree conferral. In some cases, the graduate was unaware that their degree did not qualify them to earn a teaching credential until after enrollment and participation in a teacher preparation program.

All six of the requests made on behalf of graduates from preaccredited IHEs were approved by the CTC. These determinations were made after thorough review of materials presented to the CTC by the conferring IHEs, including student transcripts, curriculum analysis, and correspondence between the IHEs and WSCUC regarding the IHEs progress towards accreditation. Based on review of these materials, the CTC determined that the degrees conferred by the preaccredited IHEs were equivalent to those conferred by the IHE after achieving full accreditation. One of the September 2017 requests was made on behalf of an individual who graduated from an unaccredited IHE that did not later achieve regional accreditation. This was the only request denied by the CTC, on the basis that the IHE was not progressing towards regional accreditation at the time of conferral, and was never granted regional accreditation status.

The CTC has never denied a regional accreditation waiver on behalf of a teacher candidate whose degree was from a regionally preaccredited IHE that later achieved full regional accreditation. This demonstrates that, for the purposes of meeting the minimum requirements for earning a teaching credential, the CTC historically views degrees from regionally preaccredited IHEs to be substantially equivalent to degrees from IHEs with full regional accreditation.

In 2017, the CTC tried to pass Title 5 regulations to give themselves the authority to determine when a baccalaureate degree is valid based on the institution’s accreditation status. However, the CTC was informed by the California Office of Administrative Law that the efforts to address this issue through regulations would be denied as there is no recognized statutory authority to change regulations.

How many otherwise qualified graduates are ineligible to pursue a teaching credential due to regional accreditation requirements? While the number of formal request to waive the regional accreditation requirement submitted to the CTC is small, this does not necessarily reflect the number of graduates prevented from pursuing a teacher credential due to the regional accreditation requirement. In order to have their degree approved by the commission, a graduate whose degree was not conferred by a regionally accredited IHE must have the resources, time, and knowledge to navigate the waiver request process. An individual cannot submit a regional accreditation waiver request to the CTC on their own behalf. Instead, the IHE that conferred their degree, or the LEA or IHE that operates a teacher preparation program in which they are enrolled, must submit an official regional accreditation waiver request on their behalf and present evidence that their degree is virtually equivalent to one granted by a regionally accredited IHE. This process poses a significant barrier for graduates from preaccredited IHEs who wish to pursue a teaching credential.

It takes up to five years for an IHE with regional preaccreditation to achieve full regional accreditation. Expanding the definition of regionally accredited to include regionally accredited IHEs that had a status of preaccreditation at the time of degree conferral could significantly increase the number of individuals eligible to enroll in teacher preparation programs. According to data from WASC, three public California IHEs have achieved regional accreditation since 2000: CSU Monterey Bay (2003), CSU Channel Islands (2007), and UC Merced (2011). Together, these IHEs spent a cumulative total of eleven years with a status of regional preaccreditation. During this time, they conferred degrees to eight graduating classes under this status—none of whom would be eligible to enroll in a teaching credential program under current law without waivers from the CTC. There are currently four bachelor degree granting IHEs with WCUSC preaccreditation/candidacy status, three of which were granted candidacy in 2020.

Permitting graduates whose degrees were granted from preaccredited IHEs to apply for teaching credential programs will not only effect graduates from recently accredited, or soon-to-be accredited institutions. All regionally accredited institutions have at some time, held preaccreditation status. It is likely that in many cases, one or more graduating classes have been conferred degrees while the IHE had preaccreditation status.

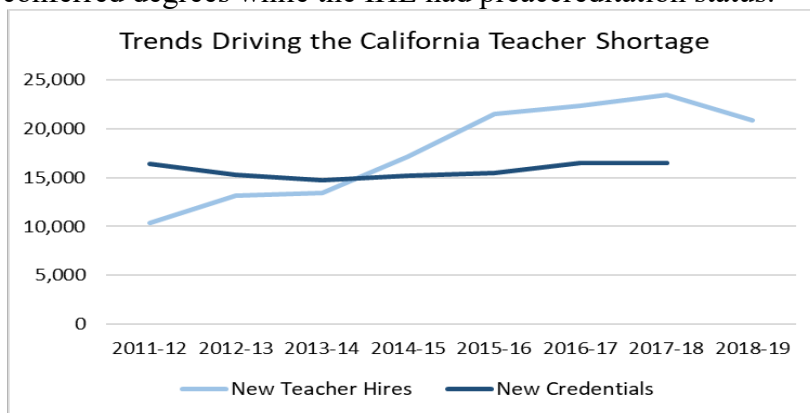


Figure 1. Trends in new teacher hires and new credentials in California

For example, one of the six individuals who received a waiver of the regional accreditation requirements from the CTC since 2016 had earned their bachelor’s degree in 1981 and was unaware the degree did not satisfy the minimum requirements for a teaching credential until after enrolling in a teacher credentialing program in 2017.

Teacher Shortage in California and the impacts of COVID-19. The state of California is experiencing a teacher shortage. According to a 2018 report from the Learning Policy Institute, this shortage is due largely to a relatively stagnant supply of newly credentialed teachers in the face of rising demands from schools. Data from the CTC (Figure 1), reveals that the increase in the number of new teacher hires over the last seven years has significantly outpaced the modest increase in newly credentialed teachers. While the 2018-19 school year saw a decrease in the number of new teacher hires, there is insufficient data to determine if this is the beginning of a new trend.

In a 2017 survey of districts representing 25% of the state’s enrollment, 80% of school districts reported a shortage in qualified teachers for the 2017-18 school year (Sutcher, Carver-Thomas, & Darling-Hammond, 2018).

Due to the shortage of qualified teachers, the percentage of classroom teachers with substandard permits and credentials risen steadily between 2012 and 2018 from ~2% of the total number of classroom teachers, to nearly 5% (Figure 2).

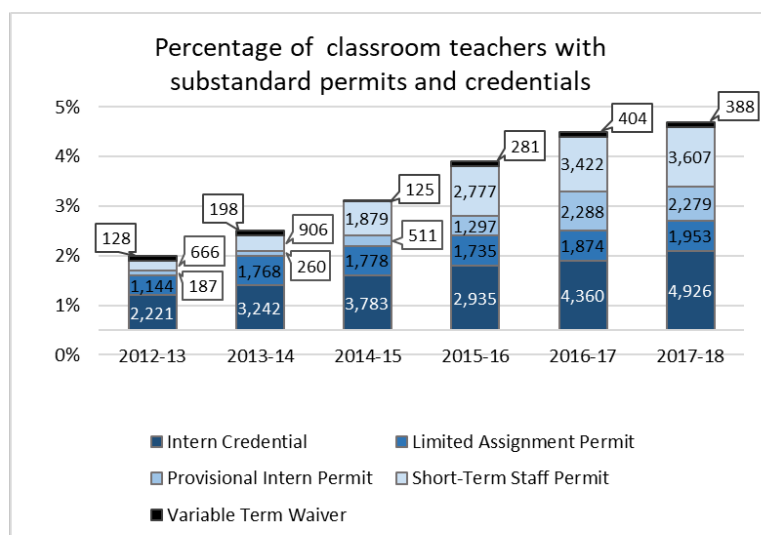


Figure 2. The percentage of classroom teachers with substandard permits or credentials is increasing

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of the COVID-19 virus. An Executive Order (EO) issued on March 13, 2020 authorized, but did not require, LEAs to close schools for in-person instruction as a result of the threat of COVID-19. The state subsequently began using a color-coded tiered system to determine when schools could reopen for in-person instruction. Except for local educational agencies (LEAs) located in the highest tier of virus spread, the decision regarding

whether to close or re-open schools was left to each LEA, in consultation with local public health officials.

The vast majority of California public schools were closed for in-person instruction through the end of the 2019-20 school year, and many also began the 2020-21 school year by offering only or mostly remote instruction. As of January 2021, due to increasing surges in the rates of COVID-19, many schools throughout the state, including those in the largest school districts, remained closed for in-person instruction. As of this writing most school districts had either begun to return students to some form of in-person instruction, or have plans to do so soon.

The required basic skills and subject matter competence exams have been deferred for teacher candidates, but required for a preliminary credential for those affected by COVID related testing center closures during the period from mid-March 2020 until August 31, 2021. Student teaching hours have been redefined by the necessary shift to distance learning, which may result in fewer

candidates completing their teacher credentials in during the pandemic. With the unprecedented COVID-19 crisis, creative solutions to increase the teacher workforce by expanding the pool of qualified teacher applicants are urgently needed.

According to the WCUSC website, all institutional review visits were transitioned to remote reviews in spring and fall 2020 and deemed effective and complete. All spring 2021 are scheduled to occur remotely. “The US Department of Education accreditation rules require an in-person visit at some point to confirm the findings of a remote review. The arrangements for those on-site visits are very flexible and need not be conducted at the same time as the remote review.”

This bill ensures that otherwise qualified individuals will not be denied a teaching credential because they earned a degree from a preaccredited institution that was later granted full regional accreditation. Increasing opportunity and expanding the pool of qualified teacher candidates is especially critical at this time, as the COVID-19 pandemic is likely to disrupt the credentialing process and teacher supply in California.

Arguments in support. According to the CTC, “Under current law, a teacher candidate must complete a baccalaureate or higher degree from a regionally accredited institution of postsecondary education prior to beginning a teacher preparation program. Students who graduate from a program that is not regionally accredited on or before the date of graduation do not meet this qualification, *even when the IHE later goes on to successfully complete the regional accreditation process.* As a result, every such candidate must hope that their college is willing to petition the Commission for an individual waiver of this statutory requirement, which delays the credentialing process, adds to the administrative burden on the Commission, and inconveniences the teacher candidate. AB 320 would eliminate this unnecessary barrier preventing candidates from earning a credential based on the timing of the regional accreditation process, rather than the quality of their institution. These candidates often complete the exact same coursework program as their peers who graduate under regional accreditation status but are not afforded the same ability to earn a teaching credential under current law. The Commission projects no new costs associated with this measure.”

Related legislation. AB 2541 (Medina) of the 2019-20 Session was substantially similar to this bill and would have defined a “regionally accredited” institution of higher education (IHE), for purposes of defining the minimum requirements for a teaching credential, as an IHE that was accredited by a regional accrediting agency at the time of degree conferral, or an IHE that held preaccreditation status at the time of degree conferral and which achieved full regional accreditation within 5 years. This bill was held in the Senate Education Committee.

AB 2485 (Kalra) of the 2019-20 Session would have provided flexibility to individuals seeking a teaching credential by allowing candidates to demonstrate subject matter competency through successfully completed higher education coursework, or a mix of coursework, CTC-approved program, and CSET subtest(s). This bill was held in the Senate Education Committee.

AB 1982 (Cunningham) of the 2019-20 Session would have exempted teacher candidates from the CBEST requirement if they earn at least a letter grade of B in qualifying coursework. The bill would also exempt an applicant who a credential preparation program determines has demonstrated proficiency in the basic skills through a combination of qualifying coursework and other existing exemptions from the basic skills proficiency test requirement. This bill was held in the Senate Education Committee.

SB 614 (Rubio) of the 2019-20 Session would have repealed the Reading Instruction Competence Assessment requirement for issuance of a teaching credential, and would require all approved teacher preparation programs to instruct and reliably assess candidates to ensure individual competence to deliver comprehensive and research-based reading instruction and to adopt, modify, and administer a reading instruction assessment aligned with the state's current adopted curriculum framework. This bill was held in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:**Support**

California Faculty Association
California School Boards Association
The Commission on Teacher Credentialing

Opposition

None on file

Analysis Prepared by: Chelsea Kelley / ED. / (916) 319-2087