



CODED CORRESPONDENCE

DATE: July 31, 2025

NUMBER: 25-05

TO:

All Individuals and Groups Interested in the
Activities of the Commission on Teacher
Credentialing

FROM:

Mary Vixie Sandy
Executive Director
Commission on Teacher Credentialing

**SUBJECT: Proposed Amendments to Title 5 of the California Code of Regulations
Pertaining to Adapted Physical Education Added Authorization**

Summary

The Commission on Teacher Credentialing (Commission) proposes amendments to Title 5 of the California Code of Regulations (CCR) related to Adapted Physical Education Added Authorization and associated Cost Recovery fees. This rulemaking action proposes revisions to the language in sections 80046.1 of Title 5 of the California Code of Regulations (CCR) related to Adapted Physical Education Added Authorization - specifically revising sections 80046.1(a), section 80046.1(a)(2), section 80046.1(c), and updating section 80046.1(a)(2) - and proposes updating associated Cost Recovery fees, specifically section 80692(a)(1)(D)(2).

Notice of Public Hearing

The Commission has not scheduled a public hearing on this proposed action. However, the Commission will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days before the close of the comment period.

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed action by fax, through the mail, or by email. The written comment period closes on September 15, 2025. Comments must be received by that time or may be submitted at the public hearing, should one be requested. Interested parties may fax their response to (916) 327-3165; write to the Commission on Teacher Credentialing, Attn: Lynette Roby, Commission on Teacher Credentialing, 651 Bannon St., Suite 600 Sacramento, CA 95811;

or submit an email to Lynette Roby (Lynette.Roby@ctc.ca.gov) or William Hattrick at WHattrick@ctc.ca.gov.

Summary of Existing Laws and Regulations

Summary of Objectives and Anticipated Benefits of the Proposed Regulations

This rulemaking action proposes corrections to the adopted language in section 80046.1 of Title 5 of the California Code of Regulations (CCR) related to Adapted Physical Education Added Authorization and section 80692 related to Cost Recovery fees. The necessity for the proposed amendments is as follows:

Revise CCR, §80046.1. Requirements and Authorization for the Adapted Physical Education Added Authorization. Proposed revisions to California Coded of Regulations §80046.1 will change the term Adapted Physical Education Added Authorization (APEAA) back to Adapted Physical Education Specialist Credential (APESC). This proposed revision amends the title of the APE credential without altering any of the necessary requirements for obtaining, maintaining, or offering services authorized by the credential. APE teachers will continue to be required to first earn a Single Subject Physical Education, Education Specialist, or Multiple Subject Credential in addition to completing all requirements of the current Adapted Physical Education preparation programs. Once these CCR revisions are approved, teachers who renew an existing Adapted Physical Education Added Authorization will automatically be granted the Adapted Physical Education Specialist Credential authorizing the same level and type of service.

Revise CCR, § 80046.1(a), §80046.1(a)(2), §80046.1(c). Amending the Adapted Physical Education Added Authorization designation back to a specialist credential addresses multiple concerns that have been expressed by the field, specifically that the added authorization is not an apt descriptor for the following reasons:

1) *Preparation Required and Services Provided:* The APEAA does not adequately reflect the preparation required and the services provided by individuals with this authorization and differs from other areas titled “added authorizations.” The original APE credential was swept into the group of special education and special service programs that were approved as added authorizations. The APEAA allows an individual to teach students with disabilities who are precluded from participating in a general education physical education program or a specially designed physical education program as determined by the local level special education assessment. As a result, the APEAA covers teachers who serve students aged birth-21 and have a range of disabilities. The APEAA is thus distinct from other added authorizations that focus on one specific disability category/area such as Autism Spectrum Disorders, Deaf-Blind, or Traumatic Brain Injury.

2) *Academic Content for Adapted Physical Education:* The authorization for the Adapted Physical Education credential covers teachers who serve students in a variety of age ranges and disabilities and authorizes academic content that is more wide-ranging than the other added

authorizations, and the number of units of required preparation is generally over 20 semester units which is higher than those of other added authorization programs.

3) *Federal Funding Opportunities*: The designation of “added authorization” does not allow institutions with APEAA programs to compete for federal funding opportunities. Since 2011 when APE was changed to an added authorization, it has become increasingly clear that institutions offering APEAA teacher preparation programs have struggled with the effects of the revision. Of particular concern is that the term “added authorization” does not align with federal policies thus making it difficult for institutions that offer APE teacher preparation programs to compete for federal grant funding to support personnel development. For example, institutions report that they have been unable to compete for US Department of Education Office of Special Education Programs grants due solely to the title/designation as an added authorization. US Department of Education Grant 84.325K: Personnel Development to Improve Services and Results for Children with Disabilities states that, “The purpose of this priority is to increase the number and improve the quality of personnel...who are fully credentialed to serve children who have high-intensity needs.” Reference to fully credentialed personnel is found throughout the grant summary. Additionally, “The Department will fund high-quality projects that prepare personnel in adapted physical education at the bachelor’s degree, certification, master’s degree, or educational specialist levels.” Due to the current categorization of added authorization, California’s APE program candidates would need to be pursuing a master’s degree or a Physical Education credential to be eligible for federal funding, thus eliminating access for the majority of candidates who obtain the authorization after completing a preliminary credential program.

Update of CCR 80046.1(a)(2). The incorporation by reference of the *Education Specialist Teaching and Other Related Services Credentials Program Standards (rev.3/11)* will be updated to reflect the correct document reference *Adapted Physical Education Program Standards (rev.3/11)* document that can be found on the Commission website.

Update of CCR, §80692(a)(1)(D)(2). The revision to update the document title of the Adapted Physical Education Added Authorization to Adapted Physical Education Specialist Credential is consistent with the arguments made in this item that the preparation of prospective APE credential holders and the services authorized by this credential are more closely aligned to that of a specialist credential, rather than an added authorization. The document will thus move from the \$1,000 fee category that includes professional preparation programs that lead to added authorizations to the \$1,500 fee for professional preparation programs that lead to specialist credentials. This adjustment is being submitted to the Department of Finance for approval.

Determination of Inconsistency/Incompatibility with Existing State Regulations

The Commission has determined that the proposed regulation amendments are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Commission has concluded that these are the only regulations that concern Adapted Physical Education Added Authorization.

Disclosures Regarding the Proposed Actions/Fiscal Impact

The Commission has made the following initial determinations:

Local Mandate

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with section 17500) of the Government Code. Local education agencies may choose to sponsor educator preparation programs utilizing the proposed regulations; however, no mandate exists requiring local agencies or school districts to have educator preparation programs and, therefore, no reimbursement in accordance with Part 7 (commencing with section 17500) of the government code is required.

Fiscal Impact

Costs to any local agency or school districts requiring reimbursement pursuant to Government Code section 17500 et seq.

These proposed regulations will not impose a cost to local agencies or school districts requiring reimbursement in accordance with Part 7 (commencing with section 17500) of the Government Code as sponsoring an educator preparation program which is aligned to the proposed regulations and is not required by law.

Cost or savings to any state agency

None. This will not create a cost or savings to any state agency.

Other non-discretionary costs or savings imposed upon local agencies

None. Sponsoring an educator preparation program is not required by law.

Cost or savings in federal funding to the state

None. Sponsoring an educator preparation program which is aligned to the proposed regulations is not required by law and would not impact federal funding to the state.

Housing Costs

No effect on housing costs. These regulations only pertain to currently approved educator preparation programs, to institutions seeking approval to offer a teacher preparation program, and to institutions expanding their business into education preparation in California.

Significant Statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states

The Commission has concluded there is no significant adverse impact on business.

Statement of the Results of the Economic Impact Assessment

In accordance with Government Code section 11346.3(b), the Commission has made the following assessments regarding the proposed regulations:

Creation or Elimination of Jobs within California

These amendments will not create or eliminate jobs in California.

Creation of New Businesses or Elimination of Existing Business within California

These amendments will not create or eliminate existing businesses in California.

Expansion of Businesses Currently Doing Business within the California

These amendments will not cause the expansion or elimination of existing businesses in California.

Benefits of the Regulations

The Commission anticipates that the proposed amendments will continue to benefit the health and welfare of California residents by providing clarity and consistency for educator preparation programs and their constituents when identifying APE teachers who have the specialized training required to serve an array of students with disabilities.

The Commission does not anticipate that these regulations will result in a direct benefit to worker safety or the state's environment.

Cost Impacts on a Representative Private Person or Business

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Small Business

The proposed regulations will not have a significant adverse economic impact upon small business.

Alternatives Statement

The Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Commission invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period or at the public hearing.

Contact Person/Further Information

General or substantive inquiries concerning the proposed action may be directed to:

Lynette Roby

Commission on Teacher Credentialing

651 Bannon St., Suite 600

Sacramento, CA 95811

Phone: 916-324-3668

Email: Lynette.Roby@ctc.ca.gov

The backup contact person for these inquiries is:

William Hattrick

Commission on Teacher Credentialing

651 Bannon St., Suite 600

Sacramento, CA 95811

Phone: (916) 323-6512

Email: WHattrick@ctc.ca.gov

Upon request, a copy of the express terms of the proposed action and a copy of the Initial Statement of Reasons will be made available. This information is also available on the Commission's website at <http://www.ctc.ca.gov/notices/rulemaking.html>. In addition, all the information on which this proposal is based is available for inspection and copying.

Availability of Statement of Reasons and Text of Proposed Regulations

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice of Register, the rulemaking file consists of the Notice of Proposed Rulemaking, the proposed text of regulations, the Initial Statement of Reasons, and an economic impact assessment/analysis contained in the Initial Statement of Reasons. Copies may be obtained by contacting Lynette Roby at the addresses or telephone number provided above.

Modification of Proposed Action

If the Commission proposes to modify the actions hereby proposed, the modifications (other than non-substantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

Availability of Final Statement of Reasons

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rulemaking package, following the conclusion of the public hearing. Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Lynette Roby at Lynette.robby@ctc.ca.gov.

Availability of Documents on the Internet

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, and the text of the regulations can be accessed through the Commission's website at <http://www.ctc.ca.gov/notices/rulemaking.html>.

Text proposed to be added is displayed in underline type. Text proposed to be deleted is displayed in ~~striketrough~~ type.

CALIFORNIA CODE OF REGULATIONS

TITLE 5. EDUCATION

DIVISION 8. COMMISSION ON TEACHER CREDENTIALING

Chapter 1. Credentials Issued Under the Teacher Preparation and Licensing Law of 1970

Article 2. Credential Types, Authorizations, and Requirements

§ 80046.1. Requirements and Authorization for the Adapted Physical Education Specialist Credential Added Authorization.

- (a) All individuals assigned to teach adapted physical education shall hold an Adapted Physical Education authorization. The requirements for the Adapted Physical Education Specialist Credential Added Authorization include:
- (1) One of the following:
- (A) A preliminary, clear, professional clear, or life California general education teaching credential based on a baccalaureate degree and a program of professional preparation including student teaching that authorizes the teaching of physical education in any grades K-12; or
- (B) A preliminary, professional clear, Level I, Level II, clear or life special education teaching credential or a preliminary, clear, or life special education services credential with a special class authorization as listed in sections 80047 through 80047.9 provided that the individual has completed a minimum of twelve semester units, or the equivalent quarter units, in physical education content courses with a minimum of three-semester units, or the equivalent quarter units, in both kinesiology and motor development,
- (2) Completion of a Commission-approved professional program for the Adapted Physical Education Specialist Credential Added Authorization, based on the ~~Education Specialist Teaching and Other Related Services Credentials Program Standards (rev. 3/11)~~ Adapted Physical Education Program Standards available on the Commission's website and hereby incorporated by reference, including successful completion of supervised field study in adapted physical education, and
- (3) Verification of completion from a Commission-approved program accredited by the Committee on Accreditation as provided in Education Code Section 44373(c).
- (b) Period of Validity. The Adapted Physical Education Added Authorization, the Adapted Physical Education Specialist Credential, and the Adapted Physical Education Emphasis Credential remains valid as long as the appropriate prerequisite credential or authorization required in subsection (a)(1)(A) or (B) remains valid.
- (c) Current holders of the Adapted Physical Education Added Authorization will, upon renewal, be issued a new credential with the title of Adapted Physical Education Specialist Credential.
- (~~e~~) Authorization. The Adapted Physical Education Added Authorization, the Adapted Physical Education Specialist Credential, and the Adapted Physical Education Emphasis Credential

authorize the holder to conduct Educational Assessments related to student's progress towards meeting instructional physical education goals, provide instruction, and Special Education Support to teach students with special needs who are precluded from participation in the activities of the general physical education program or a specially designed physical education program in a special class, from birth through age 22, including preschool, and in classes organized primarily for adults.

(d) Definitions.

- (1) "Educational Assessment": Assessment of students in a comprehensive manner within the authorization of the credential using multiple sources of information and a variety of strategies that directly measure a student's performance to meet goals in areas of grade-level academic curriculum and/or functional goals designed to meet the Individualized Education Program (IEP), Individualized Family Service Program (IFSP), and/or Individualized Transition Plan (ITP) goals and objectives regarding eligibility and services that directly result from the student's disability according to state and federal accountability systems. The assessment process may include both formal and informal assessments to evaluate students' educational instruction needs and strengths for the purpose of making accommodations, modifications, and instructional decisions.
- (2) "Special Education Support": Support includes participation in the IEP, IFSP, and/or ITP process including planning and implementation of the student's IEP, IFSP, and/or ITP; providing consultative, collaborative, and coordinating instruction with students, parents, teachers including general education teachers, and other community and school personnel; planning, developing, and implementing instructional program plans relative and within the authorization of the credential. Special Education Support does not include providing speech, language and hearing, orientation and mobility, or audiology services found in Sections 80048.9, 80048.9.1, and 80048.9.2.

CALIFORNIA CODE OF REGULATIONS

TITLE 5. EDUCATION

DIVISION 8. COMMISSION ON TEACHER CREDENTIALING

Chapter 5. Approved Programs

Article 3. Other Program Approval Procedures

Subarticle 3. Cost Recovery Fees for Program Approval and Accreditation

§ 80692. Program Approval and Accreditation Fees.

(a) The following fees associated with the activities defined in section 80691 shall be submitted to the Commission by the professional preparation program:

(1) Fees for document review beyond the Standard Accreditation Cycle shall be submitted with the professional preparation program's formal response to the applicable standards as follows:

(A) Initial institutional approval: \$2,000 flat fee.

(B) Initial program review:

A \$2,000 flat fee shall be assessed for professional preparation programs that lead to one of the following credentials or authorizations:

1. Preliminary Multiple Subject Teaching Credential (Sections 80003 and 80413; Ed. Code section 44259(b));
2. Preliminary Single Subject Teaching Credential (Sections 80004 and 80413; Ed. Code section 44259(b));
3. Education Specialist Instruction Credential: Mild to Moderate Support Needs (Section 80048.6(b)(3));
4. Education Specialist Instruction Credential: Extensive Support Needs (Section 80048.6(b)(4));
5. Education Specialist Instruction Credential: Deaf and Hard-of-Hearing (Section 80048.6(b)(5));
6. Education Specialist Instruction Credential: Visual Impairments (Section 80048.6(b)(6));
7. Education Specialist Instruction Credential: Early Childhood Special Education (Sections 80047 and 80048.6(b)(7));
8. Preliminary Administrative Services Credential (Section 80054);
9. Preliminary and Clear Designated Subjects Career Technical Education Teaching Credential (Sections 80034.2, 80035.1, and 80035.5);
10. Preliminary and Clear Designated Subjects Special Subjects Teaching Credential (Section 80037);
11. Pupil Personnel Services Credential: School Counseling, School Social Work, or School Psychology (Section 80049);
12. School Nurse Services Credential (with or without the Special Teaching Authorization in Health) (Section 80050);
13. Speech-Language Pathology Services Credential (with or without Special Class Authorization) (Sections 80048.9 and 80048.9.4);
14. Clinical or Rehabilitative Services Credential: Orientation and Mobility (Section 80048.9.1);
15. Clinical or Rehabilitative Services Credential: Audiology (Section 80048.9.2);
16. Library Teacher Librarian Services Credential (with or without Special Class Authorization) (Sections 80053 and 80053.1);
17. Preliminary PK-3 Early Childhood Education Specialist Instruction Credential (Section 80067(a)).

(C) Initial program review: A \$1,500 flat fee shall be assessed for professional preparation programs that lead to one of the following credentials or authorizations:

1. Clear Multiple Subject Teaching Credential (Section 80413; Ed. Code section 44259(c));

2. Clear Single Subject Teaching Credential (Section 80413; Ed. Code section 44259(c));
3. Clear Education Specialist Instruction Credential (Section 80048.8.1);
4. Clear PK-3 Early Childhood Education Specialist Instruction Credential (Section 80067(b));
5. Clear Administrative Services Credential (Section 80054);
6. Bilingual Authorization (Section 80033);
7. Adapted Physical Education Specialist Credential (Section 80046.1)

(D) Initial program review: A \$1,000 flat fee shall be assessed for professional preparation programs that lead to one of the following credentials or authorizations:

1. Special Education Added Authorization: Autism Spectrum Disorders (Section 80048.7(d)(1));
- ~~2. Adapted Physical Education Added Authorization (Section 80046.1);~~
- ~~3.~~ 2. Special Education Added Authorization: Deaf-Blind (Section 80048.7(d)(2));
- ~~4.~~ 3. Early Childhood Special Education Added Authorization (Section 80048.5);
- ~~5.~~ 4. Preliminary Resource Specialist Added Authorization (Section 80070.3);
- ~~6.~~ 5. Clear Resource Specialist Added Authorization (Section 80070.4);
- ~~7.~~ 6. Mathematics Instructional Added Authorization (Section 80069.2);
- ~~8.~~ 7. Clear Mathematics Instructional Leadership Specialist Credential (Section 80070);
- ~~9.~~ 8. Reading and Literacy Added Authorization (Section 80014);
- ~~10.~~ 9. Restricted Specialist Teaching Credential in Reading (Section 80048.1);
- ~~11.~~ 10. Clear Agricultural Specialist Instruction Credential (Section 80068);
- ~~12.~~ 11. Designated Subjects Special Subjects Teaching Credential (Section 80037);
- ~~13.~~ 12. Designated Subjects Supervision and Coordination Credential (Section 80038);
- ~~14.~~ 13. Crosscultural, Language and Academic Development (CLAD) Certificate or English Learner Authorization (Section 80015);
- ~~15.~~ 14. Special Teaching Authorization in Health (Section 80050); Special Class Authorization for Speech-Language Pathology Services Credential (Section 80048.9.4);
- ~~16.~~ 15. School Child Welfare and Attendance Authorization (Section 80049).

(E) Initial Program Review: A flat fee of \$500 shall be assessed for each multiple subject, single subject, PK-3 Early Childhood Education Specialist Instruction Credential and Education Specialist internship program.

(F) A professional preparation program that provides a number of Board of Institutional Review members that is equal to or greater than two times the number of their program documents submitted for initial program review annually and that assume all travel costs related to the review of the program documents submitted for initial review shall be exempt from payment of the fees associated with subsection (a)(1).

(2) Fees for the following activities in excess of the regularly scheduled accreditation activities shall be submitted to the Commission in the year that the extraordinary activities are performed:

(A) Focused site visit: \$1,000 for each individual attending the focused site visit.

(B) Late reviews: \$500 per submission.

(C) Stipulations:

1. Site revisit: \$1,000 per individual attending the site revisit.

2. Review of a report due to stipulations that does not require a site revisit as detailed in the *Accreditation Handbook*, Chapter Nine, Activities during the Seventh Year of the Accreditation Cycle (Rev. 2012), hereby incorporated by reference: \$500 flat fee.

3. Review of a report associated with a site revisit as detailed in the *Accreditation Handbook*, Chapter Nine, Activities during the Seventh Year of the Accreditation Cycle (Rev. 2012): \$1,000 flat fee.

Credits

NOTE: Authority cited: Section 44225, Education Code. Reference: Sections 44225, 44371, 44372, 44373, 44374 and 44374.5, Education Code.