

Division VIII of Title 5 of the California Code of Regulations

Proposed Amendments and Additions to Title 5 of the California Code of Regulations Pertaining to Determination of Eligibility for Institutions Seeking to Offer Educator Preparation Programs

Initial Statement of Reasons

Background

California Education Code section 44372(c) gives the Commission the authority to accredit institutions that seek to offer programs that lead to a credential to serve as an educator in California public schools. Among other responsibilities, Education Code section 44372(c) sets forth the Commission's responsibility to rule on the eligibility of institutions seeking to offer educator preparation programs in California. The Commission seeks to establish in regulation its process for determining an institution's eligibility to offer educator preparation programs that lead to licensure in California. This process is for those institutions of higher education or local education agencies that have not previously been approved by the Commission to operate educator preparation licensure programs in California.

Necessity and Rationale for Proposed Regulation

Codification of the proposed regulations in 5 California Code of Regulations(CCR) § 80700 will clarify for all interested institutions the process required to be granted eligibility to apply to serve as a Commission approved program sponsor to offer educator preparation programs leading to licensure in California. These proposed regulations provide uniformity for institutions by establishing one process that must be adhered to in order for an institution to be deemed eligible to offer educator credentialing licensure programs.

Anticipated Benefits

As noted earlier, the proposed regulations provide uniformity for all institutions by establishing one process to be adhered to when seeking eligibility to offer educator credentialing licensure programs and it provides transparency and clarity about that process.

Fiscal and Economic Impacts of the Regulation

Economic Impact Assessment

The proposed regulations will not create an economic impact either directly or indirectly. Institutions are not mandated to seek eligibility, and seek to offer educator preparation programs by choice. The proposed regulations help to ensure that institutions that are seeking approval to offer licensure programs in California are properly vetted and approved to prepare potential educators.

5 CCR § 80692 authorizes the Commission to charge a flat fee of \$2,000 to any institution seeking to be granted initial institutional approval of which includes the determination of eligibility. These fees would be unaffected by this regulatory package.

Potential educators enter into credentialing programs of their own volition and incur the tuition assessed by the approved education institution of their choice.

Creation or elimination of jobs within the state

The Commission concludes that it is unlikely that the proposed regulations will create or eliminate a significant number of jobs within the State of California as adding the eligibility requirements to the California Code of Regulations only applies to educational institutions seeking approval to offer educator credentialing programs and is not a mandate.

Creation of new businesses or the elimination of existing businesses within the state

The Commission concludes that it is unlikely that the proposal will create any new businesses or eliminate any existing businesses within the State of California since the educational institutions affected are California State Universities, Universities of California, private four-year colleges and universities, or local education agencies, none of which meet the definition for small business.

Expansion of businesses currently doing business within the state

The Commission concludes that it is unlikely the proposal would cause the expansion of businesses currently doing business within the State of California since the proposed regulations apply to currently approved educator preparation institutions or to institutions seeking approval to offer educator preparation programs in California.

Benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment

The Commission anticipates that the proposed regulations will continue to benefit the health and welfare of California residents by ensuring that approval of education institutions seeking to offer educator credentialing programs is done with consistency, transparency, and with clarity. The Commission does not anticipate that the regulations outlining the eligibility requirements for institutions seeking to offer educator preparation programs 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.

Business Report

This proposal does not require a business report to be made.

Effect on Small Business

The proposed regulations will not affect small business. The proposed amendments apply only to educational institutions electing to offer Commission-approved and accredited educator preparation programs. Educational institutions are California State Universities, Universities of

California, private four-year colleges and universities, or local education agencies, none of which meet the definition for small business as defined in Government Code 11342.610. The vast majority of Commission approved program sponsors are nonprofit educational institutions. Very few institutions of higher education approved by the Commission are for profit businesses. Because offering an educator preparation program is voluntary, any institution must evaluate whether they have sufficient resources to offer a high-quality preparation program in accordance with the state requirements.

Documents Relied Upon

Commission Agenda Items

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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 person 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.

Significant Adverse Economic Impact on Business

The Commission has concluded there is no significant adverse impact on business. As previously stated, these regulations apply to educational institutions seeking approval by the Commission. These institutions are regionally accredited institutions of higher education such as California State University, the University of California, and private and independent colleges and universities or local education agencies. The vast majority are non-profit educational organizations with a few for profit colleges or universities. These changes would not add an additional burden to Commission approved credential programs.