
6A

Action

Legislative Committee

Legislative Concepts for Commission Consideration

Executive Summary: Staff will present legislative concepts for the 2009 legislative year for Commission consideration.

Recommended Action: That the Commission accept the legislative proposals presented in this agenda item for Commission sponsorship and direct staff to seek authors for the proposals.

Presenters: Mary Armstrong, Director; Marilyn Errett, Administrator; Anne Padilla, Consultant; and Erin Duff, Program Analyst, Office of Governmental Relations

Strategic Plan Goal: 2

Support policy development related to educator preparation, conduct and professional growth

- ◆ Inform key legislators and policy makers on issues and ideas relevant to the Commission's scope of action

Legislative Concepts for 2009

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Legislative Proposal #1

District Intern Special Education Credential Preparation Programs

Proposed Concept:

This proposal seeks to delete the sunset date and make available statewide a successful project allowing District Intern Programs to offer intern preparation programs for all types of Education Specialist Credentials rather than adhere to the limitation allowing only programs for the Education Specialist: Mild/Moderate credential.

The proposal also contains some technical clean-up of obsolete language in the Education Code related to District Interns.

Current Law:

With the exception of the pilot project outlined in Education Code section 44325, current law limits District Intern Programs to preparing teachers for the Multiple Subject and Single Subject teaching credentials and the Education Specialist: Mild/Moderate credential only.

Reason/ Need for Proposal:

There continues to be a severe shortage of special education teachers in California and the nation. District Intern Programs can help meet local needs for special education teachers. Current law has provided a cautious approach to expanding the authority of District Intern Programs to offer Education Specialist Intern Programs. The current pilot project, initiated by SB 1621 (Chap. 287, Stats. 2004), authorizes a limited number of District Intern Programs to expand beyond the Education Specialist: Mild/Moderate Credential. The District Intern programs participating in the pilot project have provided over 100 well-prepared special education teachers to meet teacher shortage needs for students with disabilities other than Mild/Moderate in both rural and urban areas. The pilot is nearing an end and has proven successful. The Commission will consider a Report to the Legislature on the pilot project at the December 2008 meeting for transmittal to the Legislature and other key policy makers.

In accordance with Education Code section 44325 (e), the pilot project will end on January 1, 2010. If the law is not changed to allow District Intern Programs to offer preparation for all authorizations of the Education Specialist Credential, this much-needed avenue of preparation for all but the Mild/Moderate authorization will be discontinued.

Results of Administrative Avenues, if Any, Attempted to Resolve the Problem:

None. This proposal requires a change in statute.

Consequence if Law is Not Changed:

District Intern Programs will only be allowed to offer preparation for the Education Specialist Credential in the area of Mild/Moderate disabilities. Current District Intern credential programs for the Education Specialist Credential: Moderate/Severe and other special education authorizations will cease operation.

Education Code Section(s) Affected:

Education Code Sections 44325, 44326,44328,44329,44329.5 and 44830.3.

Cost Analysis:

No fiscal impact: Three District Intern Programs out of the current eight programs are participating in the pilot project. Current intern funding has covered the cost. The three programs are listed below:

Program Sponsor	Credential Program
Los Angeles Unified School District	Education Specialist Credential: Moderate/Severe
San Joaquin County Office of Education: Project Impact	Education Specialist Credential: Moderate/Severe Education Specialist Credential: Early Childhood Special Education
Stanislaus County Office of Education	Education Specialist Credential: Moderate/Severe

The overall number of participants in district intern programs has remained stable over the past several years with shifts within the program to credential types that meet local shortage areas. For example, the number of multiple subject intern credentials has decreased while the number of education specialist credentials has increased in response to local demand.

Strategic Plan Goal Furthered by the Proposed Legislation:

Goal: 1 Promote educational excellence through the preparation and certification of professional educators.

Possible Support and/or Opposition:

Staff anticipates support due to the positive outcome of the pilot project.

Legislative Proposal #2

Out-of-Country Prepared Teachers with Credentials in Other U.S. States

Proposed Concept:

This proposal seeks to allow out-of-country prepared teachers who have earned a credential in a state other than California to apply for a California credential based on their out-of-state credential rather than meet the additional requirements for out-of-country teachers.

Current Law:

Education Code section 44275.4 requires, without exception, that a teacher who has completed a professional teacher preparation program outside the United States must apply for a California teaching credential based on their out-of-country program.

Reason/ Need for Proposal:

Recent efforts of the Commission have been toward streamlining the credentialing process for teacher candidates. This proposal is in keeping with that effort by providing additional provisions by which out-of-country prepared teachers may apply for a California teaching credential based on a credential earned in another state.

There is disparate treatment when an out-of-country prepared teacher who has held a credential in another state must apply for a California credential based on an out-of-country program. Out-of-country prepared teachers are required to submit with their application an original foreign transcript evaluation, the cost of which can exceed \$200. Additionally, while an out-of-country prepared teacher may have earned a credential in another state, that same teacher will likely be held to requirements to which out-of-state prepared teachers are no longer held. During California's continued teacher shortage, this may be a serious roadblock in the state's efforts to recruit and retain qualified teachers. This proposal provides a streamlined avenue for out-of-country prepared teachers who have met credential requirements in states other than California.

Results of Administrative Avenues, if Any, Attempted to Resolve the Problem:

None. This proposal requires a change in statute.

Consequence if Law is Not Changed:

Out-of-country prepared teachers who hold credentials issued by states other than California will continue to be marginalized by the fact that their professional preparation program was completed outside the United States, and California's teacher recruitment efforts could be hindered.

Education Code Section(s) Affected:

Education Code Sections 44275.4

Cost Analysis:

No fiscal impact.

Strategic Plan Goal Furthered by the Proposed Legislation:

Goal: 1 Promote educational excellence through the preparation and certification of professional educators.

Possible Support and/or Opposition:

Opposition is not anticipated.

Legislative Proposal #3

Technical Clean-up

Proposed Concept:

Technical Clean-up for the annual education omnibus bill sponsored by the California Department of Education.

1. Ensure reporting of “authorizations” listed on basic credentials as part of the annual Teacher Supply Report:

This proposal seeks to amend Education Code section 44225.6 to include the term “authorization” in addition to the terms “credential” and “certificate” to ensure inclusion in the Commission’s annual Teacher Supply Report. At the request of Public Advocates, this technical amendment to the Education Code would ensure that authorizations, such as that for instruction in a bilingual setting or one for the instruction of English learners, are subject to the same reporting requirements as credentials and certificates.

2. Remove language relating to “fifth-year of study” and replace with the term “clear credential” for Multiple and Single Subject teaching credentials. Continue the Education Code clean-up to replace the term “professional clear” with the term “clear:”

This proposal seeks to amend Education Code sections 44251 and 44259 to clean up confusing terminology by clarifying that the coursework-based route for earning a clear Multiple or Single Subject teaching credential does not necessarily constitute a “fifth year of study” but is rather a route leading to the clear credential.

Current Law:

1. Reporting Authorizations

Education Code section 44225.6 requires the Commission to report annually to the Legislature and the Governor on “the availability of teachers in California.” The section specifies that the data reported should include “credentials” and “certificates.” While the language does not specify that authorizations included on a credential should be reported, the Commission has, in practice included “authorizations” when relevant to the content requirements of the report.

2. Clear Credential

Education Code sections 44251 and 44259 refer to the process of clearing a preliminary credential and qualifying for the clear credential as completing a “fifth year of study.” Many teachers have already completed a graduate, or fifth year, of study in order to earn their preliminary teaching credential. These sections also use the term “professional clear” which is now obsolete since the professional growth requirement for credential renewal was deleted from the Education Code as a result of legislation.¹

¹ SB 1209, Chap. 517, Stats. 2006

Reason/ Need for Proposal:

1. Reporting Authorizations

The Commission has now established the web-based, electronic file as the official credential record for educators in California's public schools. As a part of this new effort, and to streamline the credentialing process, the Commission staff plans to move forward with placing authorizations on basic credential documents instead of issuing separate certificates for each new authorization if the new authorization does not "stand alone" as a basic document. For example, as outlined in Assembly Member Coto's AB 1871 (Chap. 660, Stats. 2008) sponsored by the Commission, if a teacher earns an authorization to teach students in a bilingual setting, the authorization will be included on the basic Multiple or Single Subject teaching credential rather than issued as a separate certificate.

2. Clear Credential

Most teachers, after earning a preliminary credential, now complete an approved program of beginning teacher induction. Education Code section 44259 (c)(3)(B) allows a coursework route for teachers for whom an induction program is not available. The term "fifth year of study" is used to describe this coursework route. This term is often confusing to teachers and the public. The coursework route is simply a route for earning the clear credential.

The term "professional clear" denotes a credential for which there are professional growth requirements for renewal. SB 1209 (Chap. 517, Stats. 2006) removed the professional development requirement for credential renewal. The term "clear" credential is now the appropriate term.

The purpose of these technical clean-up proposals is to alleviate confusion and to promote clarity in the laws related to educator credentialing.

Results of Administrative Avenues, if Any, Attempted to Resolve the Problem:

1. Reporting Authorizations

None. This technical clean-up was requested by Public Advocates to codify the Commission's intent and practice.

2. Clear Credential

None. Because the terminology is in the Education Code, legislation is necessary for clarification.

Consequence if Law is Not Changed:

1. Reporting Authorizations

This is a technical change. However, codifying the intent to include "authorizations" in the annual report to the Legislature and the Governor clarifies procedures for the future.

2. Clear Credential

These are technical changes. However, clarification in the Education Code will help alleviate misinterpretation and misunderstanding.

Education Code Section(s) Affected:

1. Reporting Authorizations

Education Code section 44225.6.

2. Clear Credential

Education Code sections 44251 and 44259.

Cost Analysis:

1. Reporting Authorizations

No fiscal impact.

2. Clear Credential

No fiscal impact.

Strategic Plan Goal Furthered by the Proposed Legislation:

Goal: 1 Promote educational excellence through the preparation and certification of professional educators.

Possible Support and/or Opposition:

These are technical amendments for clarification purposes only.