
6B

Action

Legislative Committee

Legislative Concepts for Commission Consideration

Executive Summary: Staff will present legislative concepts for the 2010 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: Marilyn Errett, Administrator; Erin Duff, Assistant Consultant, 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

Table of Contents

Legislative Proposal #1	Page 6B-2
Revised Designated Subjects	
Adult Education Credential Requirements	

Legislative Proposal #2	Page 6B-4
Teacher Credentials Fund Account Streamlining	

Legislative Proposal #1

Revised Designated Subjects Adult Education Credential Requirements

Proposed Concept:

This proposal seeks to revise the Education Code sections pertaining to the Designated Subjects Adult Education credentials to reflect the recommendations of the adult education advisory panel.

Current Law:

The current Designated Subjects Adult Education credential requirements and preparation program standards have been in place since 1993. The current preliminary Adult Education credential has a 5-year period of validity and is earned based on work experience and/or educational background. The clear credential is earned through a program of professional preparation that is divided into a two level structure that can be thought of as introductory and advanced teacher preparation. The proposed amendment would combine the requirements of the two levels for a total of 9 semester units, or the equivalent quarter units, of coursework in the subject named on the credential and reduce the term of validity for the document from 5 to 3 years. In addition, the provision that credential candidates complete either 2 semester units or pass an examination in the principles and provisions of the U.S. Constitution will be moved from the preliminary to the clear credential requirements.

Reason/Need for Proposal:

In April 2008, the Commission directed staff to recruit an expert advisory panel to review the credential requirements and the *Standards of Quality and Effectiveness for Designated Subjects Adult Education Programs* in order to update those standards. That panel, which consisted of members of stakeholder groups, reviewed a collection of resources and research related to adult education including the recently adopted Designated Subjects Career Technical Education (CTE) Program Standards (2008). The recommendations for updated program standards and credential requirements for Adult Education credentials resulting from the panel's work were considered by the Commission at its March 2009 meeting, at which time the Commission directed staff to search for a legislative vehicle to make the necessary amendments to California Education Code. Staff searched for an author but found that, while there was interest in the concept, it was too late in the Legislative year.

Many of the updates to the Adult Education credential are aligned with updates made to the CTE credential in 2008. Beginning early in 2008, the CTE preparation program standards were updated through the efforts of a Commission-directed CTE advisory panel and by approval of the Commission. The credential requirements were then amended in California Education Code through the passage of Senate Bill 1104 (Chap. 576, Stats. 2008).

Additionally, minor technical revisions are proposed to provide general clean up and promote greater clarity within the section. These revisions include references to the basic skills, health education, technology, and professional fitness requirements.

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

The revisions stated above must occur in statute. Other administrative avenues are not available.

Consequence if Law is Not Changed:

The provisions and requirements of the Designated Adult Education credential will fail to align across standards, regulations and statute.

Education Code Section(s) Affected:

EC Sections 44260.2, 44260.3, and 44260.8

Reference Sections

44252, 44252.5 (basic skills requirement)

44339, 44340, and 44341 (professional fitness)

44259 (health education, including CPR)

44335 (U.S. Constitution)

Cost Analysis:

The Commission would experience no fiscal impact related to the changes proposed in this bill.

Strategic Plan Goal Furthered by the Proposed Legislation:

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

- *Sustain high quality standards for the preparation and performance of professional educators and for the accreditation of credential programs.*

Possible Support and/or Opposition: No opposition is anticipated.

Possible Support

Legislative Staff

Assembly Education Committee Chair

The Adult Education advisory panel consisted of members of interested stakeholder groups including the California State University and University of California systems, the Association of California School Administrators (ACSA), the California School Boards Association (CSBA), the California Federation of Teachers (CFT), and the California Teachers Association (CTA), as well as Commission staff. The concepts resulting from the work of the panel, then, are considered to be well vetted with the education community. It can be expected that legislation resulting from the efforts of the panel will not receive opposition. Furthermore, the proposed amendments to the Education Code pertaining to Designated Subjects Adult Education credentials are aligned with amendments to the Designated Subjects Career Technical Education credential that were taken under consideration by the Adult Education advisory panel and were successfully passed in the legislature in 2008 without opposition.

Legislative Proposal #2

Teacher Credentials Fund Account Streamlining

Proposed Concept:

This proposal seeks to revise the Education Code to merge the Teacher Credentials *Fund* (0407) and the Test Development and Administration *Account*, Teacher Credentials Fund (0408) to reduce redundancy and streamline Commission accounting processes.

Current Law:

Current statute establishes the Teacher Credentials Fund and a separate account, the Test Development and Administration Account. The Account is a remnant of an outdated accounting system that was restructured and simplified in FY 2004-05. The Fund and the Account are maintained separately but at times the accounting work is duplicative. In addition, expenditures are maintained separately and the Commission must seek permission from the Department of Finance if expenditures from either the Teacher Credentials Fund or the Test Development and Administration Account need to be applied to support activities outside of the narrowly defined “silo.”

Reason/Need for Proposal:

At the time the Test Development and Administration Account was established as a separate account within the Teacher Credentials Fund (1987), the Commission collected an examinations management fee directly from applicants applying for a credential on the basis, in part, of a passing score on an examination. The management fee is used by the Commission to support workload and operations associated with the examination system including examination development, validation and administration activities. This fee collection practice proved to be confusing for candidates. Later contracts for examination administration included provisions for the collection of one examination fee at the time of the candidate’s examination registration. The contractor then sent the entire amount to the Commission, and upon recording and reconciliation, the Commission retained the management fee and returned the administration fee to the contractor. This practice, too, had its drawbacks including problems with timely payment to the contractors. However, with the amount of accounting activity involved in the process, a separate examinations account remained appropriate.

With the support of the Legislative Budget Committees, Department of Finance and the Legislative Analyst’s Office the Commission streamlined the collection of examination management fees that support the educator credentialing examination system in FY 2004-05. As part of this revised process the contractor continues to collect the examination registration fee. After a reconciliation of the examination administration the contractor retains their portion of the fee and forwards to the Commission the examinations management fee. The transition to the “revenue only” process eliminated payment delays for the contractors and streamlined the deposit of the examinations management fee for the Commission. The separate examination account has remained in statute despite the change in practice.

Fully merging the Test Development and Administration Account into the Teacher Credentials Fund would enable the Commission to eliminate unnecessary accounting duplication and allow the Commission to account for examinations-related revenue and expenditures in a more

streamlined manner. Examinations-related revenue would be identified separately as a line item within the Teacher Credentials Fund, thus continuing the transparency of the Commission's Fund. A similar process is used by the Department of Consumer Affairs for various boards and bureaus.

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

The Teacher Credentials Fund and the Test Development and Administration Account are prescribed in the Education Code. Commission staff submitted this proposal to the Department of Finance during the 2009-2010 budget development process with the suggestion that it could become part of a budget trailer bill. However, the language was not included in the end. Staff at the Department of Finance and the Legislative Analyst's Office are supportive of the proposed concept. Given the uncertainty of including the concept in a budget trailer bill, Commission staff would pursue placement of the proposal in a non-budget bill.

Consequence if Law is Not Changed:

The current, more cumbersome, accounting practice would remain as would the expenditure silos.

Education Code Section(s) Affected:

EC Sections 44234 and 44235.1

Reference Sections

44235, 44235.3, 44298

Cost Analysis:

Merging the Teacher Credentials Fund and the Test Development and Administration Account would save time for Commission staff resulting in a minor cost savings.

Strategic Plan Goal Furthered by the Proposed Legislation:

Goal 6: Maximize the effectiveness of the agency and its staff through the optimal use of technology, ongoing staff development and maintenance of a positive work environment

- *Conduct periodic review of the efficiency of the day-to-day operation and financial accountability of the Commission.*

Merging the Teacher Credentials Fund and the Test Development and Administration Account would promote efficiency and transparency.

Possible Support and/or Opposition: No opposition anticipated.

Possible Support

Legislative Staff

Senate Education Committee Chair

Department Of Finance

Legislative Analyst's Office