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Action

Legislative Committee

Legislative Concepts for Commission Consideration

Executive Summary: Staff will present legislative concepts for the 2011 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,
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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

December 2010

Legislative Concepts for 2011

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Legislative Proposal #1
*Adding a Subject or Credential Type Based on
National Board for Professional Teaching Standards (NBPTS)*

Proposed Concept

This proposal would allow teachers to add a new subject or credential type based on National Board for Professional Teaching Standards (NBPTS). Current statute allows the use of National Board Certification as a means to “clear” a credential or to add an English learner authorization, but does not allow NBPTS to provide the basis of adding a new subject or credential type.

Current Law

- Education Code section 44398 allows teachers credentialed in other states to obtain a clear California credential in the subject in which the teacher is certified by the NBPTS.
- Education Code section 44399 allows NBPTS teachers in California to “clear” their preliminary credential via NBPTS certification in the area of their credential.
- Education Code section 44253.3 (f) allows the Commission to issue an English learner authorization if the applicant possesses a valid California teaching credential and holds either the Early and Middle Childhood/English as a New Language Certificate or the Early Adolescence through Young Adulthood/English as a New Language Certificate issued by the NBPTS.
- Education Code section 44225 (e) and Title 5, California Code of Regulations, section 80499 allow a California credentialed teacher to add an additional subject to an existing credential or obtain an additional teaching credential type without completing the full professional preparation program for that credential.

Reason/Need for Proposal

It has come to the attention of Commission staff that some teachers earn National Board Certification in areas other than that of their California or out-of-state credential. For example, the holder of a single subject teaching credential in social science has earned National Board Certification in an area of science. The holder of a multiple subject credential has earned National Board Certification in mathematics.

Current Education Code options do not allow these teachers to add the subject or new credential type to their existing credential based on NBPTS certification.

In a [Congressionally-mandated study](#)¹ National Board Certification was [recently recognized](#) by the National Research Council as having a positive impact on student achievement, teacher retention, and professional development.

When California law prohibits teachers from applying the skills they have obtained through the NBPTS certification process, it seems appropriate that the Commission seek a statute change to remove the barrier.

¹ http://www.nap.edu/catalog.php?record_id=12224#toc

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

Commission staff held a cross-divisional meeting with legal staff to determine the best course of action. It was determined that a statute change would be needed to allow this avenue for credentialed teachers to add a subject or credential type based on NBPTS certification.

Consequence if Law is Not Changed

Teachers completing the process to become certified by NBPTS must pass a subject matter examination and complete a one to three year process demonstrating their teaching skills, mastery of subject matter, and mastery of subject-specific pedagogy. These teachers can bring strong competency, effectiveness and instructional leadership to California's schools. If the law is not changed to allow them to add the subject or credential type to their existing certification, they will not be able to bring those particular competencies to the classroom without also completing California's process for [adding a subject or credential type](#)². This redundancy and additional expense can only be circumvented by a change in statute.

Education Code Section(s) Affected

The statute change would require that a new Education Code section be added. Staff suggests that the addition be Education Code 44399.1.

Cost Analysis

Minor/absorbable for the development of a new leaflet and communication to the field regarding the additional option.

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**Support**

National Board for Professional Teaching Standards

Opposition

None known at this time

² <http://www.ctc.ca.gov/credentials/leaflets/cl621a.pdf>

Legislative Proposal #2 *Technical Clean-up*

Proposed Concept

This proposal seeks to provide technical clean-up of obsolete Education Code sections and terms in the following areas:

1. Update references to the California Standards for the Teaching Profession (CSTP) and the Commission's Induction Program Standards.
 - This proposal seeks to amend Education Code references to the "1997" versions of the CSTP and the Induction Program Standards.
2. Update Education Code sections that refer to completed work and reports.
 - Several sections of the Education Code related to beginning teacher induction were originally written in 1988 and were last amended in 1992. They contain obsolete references that need to be updated or deleted.
3. Continue the Education Code clean-up to delete obsolete language.

Current Law

1. Update references to the California Standards for the Teaching Profession (CSTP) and the Commission's Induction Program Standards.
 - Education Code section 44279.1 contains outdated references to the California Standards for the Teaching Profession (CSTP) by specifying the original version adopted in 1997. The CSTP has been updated twice since that time. The section also includes references to the Commission's Induction Program Standards circa 1997. This bill would simply eliminate the specific date, thus allowing the references to align with the most current versions.
 - Education Code section 44279.2 also contains an outdated reference to the 1997 CSTP
2. Update Education Code sections that refer to completed work and reports.
 - Education Code section 44371 requires the Commission to replace the system for program approval, as established by the Teacher Preparation and Licensing Act of 1970. The system of program approval has been updated several times since that date. Staff suggests that the language be replaced stating that the system be evaluated and revised on an ongoing basis to reflect current practice.
 - Education Code section 44372 refers to an evaluation of accreditation policies and their implementation to be conducted by an external evaluator in accordance with the accreditation framework that was in effect in 1993. This work has long since been completed and the framework has been updated.
3. Continue the Education Code clean-up to delete obsolete language.
 - Education Code section 44279.4 contains an outdated reference to a "professional" rather than a "clear" credential.

- Education Code sections 44279.5 and 44279.6 duplicate Legislative intent related to beginning teacher induction in section 44279.1 and reference Education Code sections as they read in 1992, but that no longer contain the sections referred to.
- Education Code section 44274.2 requires teachers prepared out of state and who have less than two years of teaching experience to complete a beginning teacher induction program for the clear credential while serving on a preliminary credential. The new special education induction program covers all of the competencies needed for a multiple or single subject clear credential. Current language would require a teacher who is earning both a clear special education credential and a clear multiple or single subject teaching credential to first hold preliminary credentials in both areas. However, if the special education induction program is completed, it makes sense that the individual could add the clear multiple or single subject clear credential without first “buying” a preliminary.

Reason/Need for Proposal

The Education Code sections are obsolete and in need of updating.

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

No administrative avenues are available.

Consequence if Law is Not Changed

Outdated and obsolete references will continue to create confusion without a periodic review and update.

Education Code Section(s) Affected

Education Code sections 44274.2, 44279.1, 44279.2, 44279.4, 44279.5, 44279.6, 44371, and 44372.

Cost Analysis

Technical clean-up, no cost.

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 and have been vetted through the BTSA Leadership Group and the Committee on Accreditation.