
3B

Action

Legislative Committee

Analyses of Bills

Executive Summary: This agenda item presents analyses of educator preparation or licensing bills introduced by Legislators. The analyses will summarize current law, describe the bill provisions, estimate costs and recommend amendments, if applicable. The analyses will include, but are not limited to SB 1385 (Hancock) and AB 1853 (Bonilla).

Recommended Action: Staff will recommend a position, aligned with the Commission's Legislative Guidelines, in each bill analysis submitted for the Commission's consideration.

Presenters: Anne L. Padilla, Interim Administrator; 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

Bill Analysis

Senate Bill 1385 (Hancock) After School Teacher Pipeline Program

Recommended Position: Support if Amended
Cosponsors: Partnership for Children and Youth
California After School Coalition

Bill Version: As amended April 10, 2012

Analysis of Bill Provisions

SB 1385 would establish the California After School Teacher Pipeline Program to recruit qualified after school instructors from the 21st Century High School After School Safety and Enrichment for Teens program, the After School Education and Safety program, and the 21st Century Community Learning Centers program, to participate on a pilot basis in the California Paraprofessional Teacher Training Program (PTTP). The Commission would select up to four school districts or county offices of education currently participating in the PTTP to apply for pilot program funds. In addition to satisfying all of the requirements of the PTTP program, pilot applicants would be required to demonstrate:

1. A screening process to determine if a pilot participant's after school instruction experience ensures participant readiness for the pilot.
2. Professional support for pilot participants.
3. How pilot participants will be tracked within the program.

The pilot program would be funded annually by \$150,000 from the Proposition 49--California After School Education and Safety Program (up to \$3,500 per participant). The Commission would also be required to report to the Legislature by January 1, 2015 on the status of the program, including the ability of the applicants to successfully integrate the pilot into their existing program and the number of participants in the pilot who receive teaching credentials. The pilot would conclude January 1, 2019.

SB 1385 is a reintroduction of AB 364 (Torlakson) from 2009. The Commission supported AB 364. The bill died in the Assembly Appropriations Committee.

Background

21st Century High School After School Safety and Enrichment for Teens (ASSETs) Program
Education Code sections 8420-8428 and 8484.8(h) establish the 21st Century High School After School Safety and Enrichment for Teens (ASSETs) Program. The program is administered by the California Department of Education (CDE). ASSETs provides incentives for schools and communities to work together and establish before and after school enrichment programs that provide academic support, educational enrichment, safe, constructive alternatives for high school students and assistance in passing the California High School Exit Exam. Programs may operate before school, after school, weekends, summer, intersession and vacation.

ASSETs is part of the 21st Century Community Learning Centers program authorized in 1996 under federal law. The No Child Left Behind Act of 2001 transferred the administration of this program to the states and expanded local accountability for student academic achievement.¹

California's 21st Century Community Learning Centers (21st CCLC) Program

The No Child Left Behind Act of 2001 was signed into law in January 2002, authorizing the California Department of Education (CDE) to administer California's 21st Century Community Learning Centers (21st CCLC) program. Education Code sections 8484.7 - 8484.9 further define California's 21st CCLC program. This state-administered, federally funded program provides five-year grant funding to establish or expand before-and after-school programs that provide disadvantaged K-12 students (particularly students who attend schools in need of improvement) with academic enrichment opportunities and supportive services to help the students meet state and local standards in core content areas.

The purpose of the 21st CCLC program, as described in federal statute, is to provide opportunities for communities to establish or expand activities that focus on: 1) improved academic achievement; 2) enrichment services that reinforce and complement the academic program; and 3) family literacy and related educational development services.

Entities eligible to apply for funding include: local educational agencies (LEAs), cities, counties, community-based agencies, other public or private entities (which may include faith-based organizations), or a consortium of two or more such agencies, organizations, or entities. Applicants are required to plan their programs through a collaborative process that includes parents, youth, and representatives of participating schools or local educational agencies, governmental agencies (e.g., cities, counties, parks and recreation departments), community organizations, and the private sector.²

The After School Education and Safety (ASES) Program (Proposition 49)

The After School Education and Safety (ASES) Program is the result of the 2002 voter approved initiative, Proposition 49. This proposition amended California Education Code section 8482 to expand and rename the former Before and After School Learning and Safe Neighborhood Partnerships Program. The ASES Program funds the establishment of local after school education and enrichment programs. These programs are created through partnerships between schools and local community resources to provide literacy, academic enrichment and safe constructive alternatives for students in kindergarten through ninth grade. Funding is designed to: 1) maintain existing before and after school program funding; and 2) provide eligibility to all elementary and middle schools that submit quality applications throughout California.

The ASES program must be aligned but not repeat the content of regular school day and other extended learning opportunities. After school programs must consist of the two elements below and ASES program leaders work closely with school site principals and staff to integrate both elements with the school's curriculum, instruction, and learning support activities.

¹ <http://www.cde.ca.gov/ls/ba/>

²Ibid

1. An **educational and literacy element** must provide tutoring and/or homework assistance designed to help students meet state standards in one or more of the core academic subjects.
2. The **educational enrichment element** must offer an array of additional services, programs, and activities that reinforce and complement the school's academic program. Enrichment activities may be designed to enhance the core curriculum.³

Commission Activity

The PTTP was created to help meet teacher supply needs by bringing talented, experienced classroom teacher's aides into the teaching profession through a program of financial and instructional support. The Commission currently serves as the budgetary and administrative agent for this program disbursing grant funds to applying school districts and county offices of education. This highly successful program helps support skilled, experienced teacher's aides as they complete a college degree and earn a teaching credential. The PTTP has resulted in over 2,175 new teachers in our state who teach and live in communities with the greatest need.

In 2007, the Commission sponsored SB 193 (Scott), (Chap. 554, Stats. 2007), a measure to clarify elements of the law governing the PTTP and to increase in statute the per participant funding amount to reflect increases in college tuition and books. Specifically, SB 193 made the following changes:

- Requires verification of candidate minimum education requirements to mirror the No Child Left Behind Act employment criteria for paraprofessionals.
- Requires participants to obtain a Certificate of Clearance from the Commission that ascertains fingerprint clearance and a full background check prior to participation in the program.
- Provides in statute an appeals procedure for individuals who are unable to meet the repayment through service requirement due to illness or other extenuating circumstances.
- Increases the per participant funding from \$3,000 per year to \$3,500 to meet increases in tuition and the cost of books, as well as to conform to the current Budget Act.
- Requires the Commission to contract for an external evaluation of the program every five years beginning in 2014.

In 2009, staff conducted a survey of PTTP directors, asking the following questions relating to AB 364:

1. Do you currently have PTTP participants in your program who are also employed as after school program staff in your local education agency?
2. Do you believe that the proposed change in the law would enhance your pool of candidates? Why or why not?
3. Are there any problems (either conceptual or practical) that you see with the proposal's redefining of paraprofessionals to include employees of after school programs, as specified in the bill?

³ <http://www.cde.ca.gov/ls/ba/>

Responses from the survey varied widely, depending on the director's familiarity and relationship with before and after school programs and personnel. The SB 1385 pilot would seem, therefore, a prudent way to explore the possibility of expanding the participant pool to include these participants.

Fiscal Impact

SB 1385 would require the CDE to transfer \$150,000 of After School Education and Safety Program grant funds to the Commission for the California After School Teacher Pipeline Program pilot. These funds are not subject to the Budget Act and are a continuous appropriation. We understand that there is sufficient revenue available to fund the pilot and administrative costs to the Commission.

Relevant Commission Legislative Policies

Policy 4: The Commission supports the maintenance of a thoughtful, cohesive approach to the preparation of credential candidates and opposes legislation that would tend to fragment or undermine the cohesiveness of the preparation of credential candidates.

Policy 5: The Commission supports legislation which strengthens or reaffirms initiatives and reforms which it previously has adopted, and opposes legislation which would undermine initiatives or reforms which it previously has adopted.

Organizational Positions

Support

Partnership for Children and Youth (cosponsor)
California After School Coalition (cosponsor)
Aspiranet
California School-Age Consortium
Citizen schools
LA's Best
Pro-Youth/HEART
THINK Together

Opposition

None noted at this time.

Reason for Suggested Position

To strengthen the pilot program, staff is recommending the following amendments:

- Include in the list of requirements for LEA participants, the LEA's need for certain certificated staff.
- Clarify that the \$3,500 per participant grant covers some, but not necessarily all of the costs associated with the program (technical amendment).

For these reasons, staff is recommending a **“Support if Amended”** position.

Analyst: Anne L. Padilla

Date of Analysis: April 10, 2012

LEGISLATIVE GUIDELINES OF THE CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

Adopted February 3, 1995

1. The Commission supports legislation that proposes to maintain or establish high standards for the preparation of public school teachers and other educators in California and opposes legislation that would lower standards for teachers and other educators.
2. The Commission supports legislation that proposes to maintain or establish high standards of fitness and conduct for public school educators in California and opposes legislation that would lower standards of fitness or conduct for public school educators.
3. The Commission supports legislation that reaffirms that teachers and other educators have appropriate qualifications and experience for their positions, as evidenced by holding appropriate credentials, and opposes legislation that would allow unprepared persons to serve in the public schools.
4. The Commission supports the maintenance of a thoughtful, cohesive approach to the preparation of credential candidates and opposes legislation that would tend to fragment or undermine the cohesiveness of the preparation of credential candidates.
5. The Commission supports legislation that strengthens or reaffirms initiatives and reforms that it previously has adopted and opposes legislation that would undermine initiatives or reforms that it previously has adopted.
6. The Commission supports alternatives to existing credential requirements that maintain high standards for the preparation of educators and opposes alternatives that do not provide sufficient assurances of quality.
7. The Commission opposes legislation that would give it significant additional duties and responsibilities if the legislation does not include an appropriate source of funding to support those additional duties and responsibilities.
8. The Commission supports legislation that affirms its role as an autonomous teacher standards board and opposes legislation that would erode the independence or authority of the Commission.

Possible Bill Positions for Commission Consideration

The Commission may adopt a position on each bill considered for action. The following chart describes the bill positions. The Commission may choose to change a position on a bill at any subsequent meeting.

Sponsor: Legislative concepts are adopted by the Commission and staff is directed to find an author for the bill and to aid the author's staff by providing background information and seeking support for the bill.

Support: The Commission votes to support a bill and directs staff to write letters of support to Legislative Committee members and to testify in support of the bill at Legislative Committee hearings. The Commission's support position will be recorded in the Legislative Committee's bill analysis. If the bill is successful in the Legislature, staff writes letters of support to the Governor.

Support if Amended: The Commission expresses support for the overall concept of a bill, but objects to one or more sections. The Commission votes to direct staff to contact the author with suggested amendments. If the bill is amended to reflect the Commission's recommendations, the Commission's position automatically becomes "Support."

Seek Amendments: The Commission expresses concern over one or more sections of the bill and votes to direct staff to contact the author with suggested amendments. If the bill is amended to reflect the Commission's recommendations, staff will inform the Commission at a subsequent meeting and ask if the Commission would like to adopt a new position.

Watch: The Commission expresses interest in the content of the bill but votes to direct staff to "watch" the bill for future amendments or for further movement through the Legislative process. Early in the Legislative session, the Commission may wish to adopt a "watch" position on bills that are not yet fully formed.

Oppose Unless Amended: The Commission objects strenuously to one or more sections of the bill and votes to direct staff to contact the author with suggested amendments. If the bill is not amended to reflect the Commission's recommendations, the Commission may vote to adopt an "Oppose" position at a subsequent meeting. If the bill is amended to reflect the Commission's recommendations, staff will inform the Commission at a subsequent meeting and ask if the Commission would like to adopt a new position.

Oppose: The Commission expresses opposition to the overall concept of a bill and votes to direct staff to write letters of opposition to Legislative Committee members and to testify in opposition to the bill at Legislative Committee hearings. The Commission's "oppose" position will be recorded in the Legislative Committee bill analysis. If the bill is successful in the Legislature, staff writes letters of opposition to the Governor.

No Position: The Commission may choose to delay taking a position on a bill and may vote to direct staff to bring the bill forward at a subsequent meeting. The Commission may also choose to direct staff not to bring the bill forward for further consideration.