
3B

Action

Legislative Committee

Analyses of Bills

Executive Summary: Staff will present 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 1245 (Alquist), SB 1291 (Evans) and SB 1292 (Liu).

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 and Erin Sullivan, 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

Bill Analysis

Senate Bill 1245 (Alquist) Alternative Certification Programs Report

Recommended Position: Support

Sponsor: Author

Bill Version: As amended May 2, 2012

Analysis of Bill Provisions

SB 1245 would require the Commission to submit a report to the Governor and the chairs of the Senate Education and Assembly Education Committees by January 1, 2015 that includes the following:

- A study of alternative certification programs in states other than California that use teacher preparation methods that are significantly different from those used in traditional teacher preparation programs;
- A meaningful model for alternative teacher preparation based on the findings of the study;
- Recommendations for the appropriate goals of alternative certification programs within California including, but not limited to, recommendations regarding the purpose, role, and target audiences of alternative certification programs and an assessment of whether California's current alternative certification programs meet these goals;
- Recommendations regarding possible consolidation of specified Education Code statutes related to district intern programs, the Teacher Education Internship Act of 1967, and the New Careers Program.

Background

Existing law establishes the District Intern Credential, the University Intern Credential, and the Alternative Certification Program. These statutes were created as far back as 1967 as part of California's ongoing effort to provide alternative routes into the teaching profession to address statewide shortages of teachers in particular subject areas including mathematics, science and special education. Credential options were established for individuals who wish to be the teacher of record while simultaneously completing a program of professional preparation. Each of these programs requires participants to hold, at minimum, a Bachelor's degree, meet the California basic skills requirement, and demonstrate subject matter competence. Additional requirements are in place for those wishing to provide instruction to English language learners.

While some voices have urged the state to ease the credentialing pathway for industry professionals, particularly for those with math or science training, it is widely accepted that a balance must also be struck to ensure teachers are qualified to work with all students, including English language learners and students with special needs. As such, California requires educator candidates to meet the same standards regardless of their chosen preparation route. The argument

can then be made that what California labels as alternative certification is merely an alternative route to a standard California credential.

School districts, county offices of education, colleges, universities, or other public education entities have historically applied to the Commission for incentive grant funding to operate these programs. Beginning with the 2008-09 budget year and extending through 2014-15, the Governor and the Legislature approved broad categorical funding flexibilities that allow local educational agencies to use the funding received for alternative certification programs, among others, for any educational purpose to the extent permitted by federal law.

Commission Activity

At its March 2012 meeting, the Commission considered an information item on alternative certification programs in California.¹ Alternative certification programs are intended to provide an abbreviated route to credentialing; however, by requiring all credential candidates to meet the same requirements, some might argue that there is nothing much abbreviated about these programs. One issue that was highlighted in the March 2012 agenda item was the challenge alternative certification program participants have in completing the Teaching Performance Assessment while working as a full-time teacher of record and completing coursework. Another issue was the early completion option that must be offered by any educator preparation program offering an alternative certification program. Commission members had a number of questions related to this option and the difficulties it poses for both programs and candidates. The work authorized by SB 1245 will provide the Commission with an opportunity to more extensively consider these challenges and possible solutions.

Fiscal Impact

Commission staff is currently engaged in work on the Teacher Preparation Advisory Panel (TAP) and the Educator Excellence Task Force (EETF). It is anticipated that the outcomes of the TAP panel and EETF will provide substantial framework to support and inform the work of this Alternative Certifications Program report. While this type of work has, at times, been accomplished through a broad-based stakeholder group, as the Commission continues to examine its priorities and resource constraints, studies of this nature might be taken up in an alternative manner. Coupled with a deadline of January 1, 2015, staff's assessment is that this work can be completed for less than \$125,000, which would be the cost of a full advisory panel review.

Relevant Commission Legislative Policies

Policy 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.

Policy 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.

¹ <http://www.etc.ca.gov/commission/agendas/2012-03/2012-03-2B.pdf>

Organizational Positions**Support**

None noted at this time.

Opposition

None noted at this time.

Reason for Suggested Position

National education policy currently includes support for alternative certification programs. As indicated in the March 2012 agenda item, the Commission has statutory responsibility for alternative certification programs in California. The Commission, along with other education policy stakeholders, is currently engaged in analyses of California's educator preparation programs through the Teacher Preparation Advisory Panel and the Educator Excellence Task Force. This work will contribute to an expanded analysis of California's alternative certification programs in comparison to others in the nation. For these reasons, staff is recommending a **"Support"** position on SB 1245.

Analyst: Erin Sullivan

Date of Analysis: May 22, 2012

Bill Analysis

Senate Bill 1291 (Evans) Unemployment Benefits: Training: Teacher Credentialing

Recommended Position: Support
Sponsor: California Teachers Association
Bill Version: As amended May 25, 2012

Analysis of Bill Provisions

SB 1291 would add credential preparation programs or other teacher training programs in mathematics, science and special education to the list of programs that would automatically qualify an individual for unemployment benefits. A teacher meeting requirements of the bill would not be required to be actively looking for work during the period of retraining. The bill's provisions would go into effect on January 1, 2014.

To qualify, the preparation programs would need to be approved by the Commission on Teacher Credentialing and the teacher would need to: 1) be a permanent or probationary employee; 2) have had their employment terminated due to a determination of a decline in student enrollment in that district, as specified; and 3) be seeking additional certification in mathematics, science or special education.

SB 1291 also makes other general changes to unemployment statutes.

Background

Existing law provides that in order to begin or continue to receive unemployment benefits, an individual must be: 1) actively looking for work; 2) available to work; and 3) ready to accept suitable work if it arises. In addition, current law provides for the California Training Benefits program (CTB) which allows eligible unemployed individuals, who may lack competitive job skills to find stable employment, to receive benefits while attending training or retraining programs. In order to qualify for unemployment benefits under the CTB program, the training must meet certain requirements, including authorization by specific state or federal program sponsors, be listed on California's Eligible Training Provider List, and that the individual must be an active journey level union member taking industry-related training approved by his/her union. Retraining teachers for additional certification in specified fields is not currently listed as an allowable activity for purposes of qualifying for unemployment benefits.

The demand for mathematics and science teachers is expected to increase by 33,000 by 2017.² California has addressed this demand statewide through mathematics and science budget incentives to the California State University (CSU) and University of California (UC).

² <http://www.cftl.org/documents/2007/TCPA.pdf>

The CSU Mathematics and Science Teacher Initiative (MSTI) has reached its goal of doubling production of math and science teachers--from 750 per year in 2002-03 to 1,507 in 2010-11. In addition, the CSU campuses have leveraged these state resources to acquire federal and private grants to supplement the initiative.³

Similarly, the UC has sponsored CalTEACH, intended to help address California's serious deficit of well-qualified K-12 mathematics and science teachers by improving California's undergraduate pipeline to mathematics and science teaching credentials. CalTEACH has resulted in an increase of teachers credentialed in mathematics and science from 60 in 2007-08 to 550 in 2010-11.⁴

Commission Activity

The Commission on Teacher Credentialing (Commission) annually issues a *Teacher Supply in California* report. Each year the report catalogues a continued shortage of mathematics, science and special education teachers. In the most recent report⁵ Table 4 delineates the shortages in these areas and indicates that collectively the Commission issued a total of 622 short-term staff and provisional permits in mathematics, science and special education.

The Commission accredits alternative certification programs, also known as Intern Programs, in which participants earn a credential while working as a teacher of record in the classroom. Interns are only hired after a district cannot find a suitable teacher for the classroom assignment. Many IHEs offering teacher preparation programs also offer an intern program while school district, county office of education, or a consortium of districts may also offer intern preparation programs. All programs must meet the same Commission-adopted standards and must be approved by the Commission. Each program must show how it prepares interns prior to their classroom service and must show how interns are mentored and assessed in addition to providing continued teacher education courses and seminars for the interns.

Over the years Interns have supplied a source of teachers for subject area shortages. In the last several years internships have been offered almost exclusively in the areas of mathematics, science and special education. In 2010-11, 2214 teachers were enrolled in Intern programs leading to a mathematics, science or special education credential.

California Education Code section 44225(e) and Title 5, California Code of Regulations, section 80499 allow a teacher to obtain an additional general education teaching credential without completing the full professional preparation program for that credential. Qualified applicants (those who hold a valid basic general education teaching credential, as defined) may obtain an additional credential, either multiple subject or single subject, or add an additional single subject content area, when they complete the requirements. All course work must be completed with a grade of "C" or better, "pass," or "credit." The Commission will be reviewing an agenda item at its August meeting concerning this process.

³ <http://www.calstate.edu/teacherED/docs/MSTI-2011-12-Report.pdf>

⁴ <http://calteach.universityofcalifornia.edu/reports-stats.html>

⁵ http://www.etc.ca.gov/reports/TSR_2010_11_Full_Report_Final_15March2012.pdf

Fiscal Impact

The bill as currently amended has no fiscal impact, as the teachers would already be eligible to receive unemployment benefits. There is no fiscal impact on the Commission.

Relevant Commission Legislative Policies

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**

California Teachers Association (sponsor)
California Labor Federation

Opposition

None noted at this time.

Reason for Suggested Position

In response to the need for more teachers in the areas of mathematics, science and special education, California has put into place a variety of initiatives and policies to provide encouragement for candidates to go into these much needed areas. This bill would add to those incentives by allowing teachers who are laid off and who choose to seek certification in mathematics, science and special education to be relieved from the requirement to look for work while obtaining certification in these shortage areas. The goal is to move teachers from subject areas of surplus to subject areas of need. As this goal is shared by the Commission, staff recommends a **“Support”** position on AB 1291.

Analyst: Anne L. Padilla

Date of Analysis: May 30, 2012

Bill Analysis

Senate Bill 1292 (Liu) Principal Evaluation

Recommended Position: Support

Sponsor: Association of California School Administrators

Bill Version: As amended May 2, 2012

Analysis of Bill Provisions

SB 1292 would create a permissive state framework for public school principal evaluation by authorizing school districts to evaluate principals on guidelines based on the California Professional Standards for Educational Leaders (CPSELs). Specifically, the bill would authorize that:

- School district governing boards may identify who conducts school principal evaluations
- School principals may be evaluated annually for the first and second year of employment as a new principal in a school district and then determine the frequency of subsequent evaluations
- Criteria for effective school principal evaluations may be based on the California Professional Standards for Educational Leaders.

The bill further provides that a quality school principal evaluation may include, but not be limited to evidence of: 1) student academic growth based on multiple measures, as specified; 2) effective and comprehensive teacher evaluations, as specified; 3) culturally responsive instructional strategies to address and eliminate the achievement gap; 4) analysis of quality instructional strategies and effective feedback that leads to instructional improvement; 5) high expectations for all pupils and leadership to ensure active pupil engagement and learning; 6) collaborative professional practices for improving instructional strategies; 7) effective school management, as specified; 8) meaningful self-assessment to improve as a professional educator, as specified; and 9) consistent and effective relationships with pupils, parents, teachers, staff and other administrators.

Background

Education Code §§44660-44665 (also known as the “Stull Act”) states Legislative intent that school district governing boards establish a uniform system of evaluation and assessment of the performance of all certificated personnel within each school district in California. School district governing boards are required to establish standards of expected pupil achievement at each grade level in each area of study and to evaluate and assess certificated employee performance on a continuing basis as it reasonably relates to the progress of pupils toward the established standards and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments, the instructional techniques and strategies used by the employee, the employee’s adherence to curricular objectives, and the establishment and

maintenance of a suitable learning environment, within the scope of the employee's responsibilities.

The Act outlines specific provisions that apply to certificated non-instructional personnel, including, but not limited to, supervisory and administrative personnel, whose responsibilities cannot be evaluated appropriately under provisions relating to teachers and requires governing boards to evaluate and assess the performance of non-instructional certificated employees as it reasonably relates to the fulfillment of their responsibilities.

The Act also addresses collective bargaining procedures as they relate to evaluation, defines a schedule for evaluating all certificated employees on a continuing basis, specifies that evaluations would also include areas in need of improvement and support for employees who receive unsatisfactory evaluations.

The author and sponsor have indicated that while these Education Code sections require a principal to be evaluated, they provide no direction. While some school districts have established their own principal evaluation systems, there is no statewide policy in this regard. SB 1292 would provide the foundation and direction for statewide policy on principal evaluation while allowing districts the necessary flexibility to adapt an evaluation plan to meet local needs.

Commission Activity

In 2010 the Commission initiated a one-year study conducted by an Administrative Services Credential Advisory Panel on leadership for California schools to determine what changes would be appropriate in administrator preparation to meet the needs of today's schools. The major purpose of the panel's work was to review the content, structure and requirements for administrator preparation to ensure that these remain appropriate to the needs of administrators serving in California schools today. Over the next year, the Commission was kept apprised of the progress of the advisory panel's work.⁶

As a part of this work, the Advisory Panel recommended, and the Commission adopted, the California Professional Standards for Educational Leaders (CPSELs) as the foundational structure for all preliminary administrative service credential pathways, and the CPSELs continue to be the foundational structure for the clear credential, requiring the candidate to demonstrate knowledge gained during his/her preliminary preparation phase.⁷ The Commission is continuing discussion on two of the Panel's recommendations concerning previous experience required in the school and the examination route to earning a credential.⁸

In addition to the work on the Administrative Services Credential, the Commission is participating in the Superintendent of Public Instruction's Educator Excellence Task Force. Commissioner Linda Darling-Hammond is co-chairing the Task Force with Superintendent Chris Steinhauser of Long Beach Unified School District. The Task Force has been charged with recommending ways to strengthen California's educator workforce. Recognizing the central role

⁶ <http://www.ctc.ca.gov/commission/agendas/2010-01/2010-01-2E.pdf>

<http://www.ctc.ca.gov/commission/agendas/2011-06/2011-06-5E.pdf> ,

⁷ <http://www.ctc.ca.gov/commission/agendas/2011-11/2011-11-agenda.html>

⁸ <http://www.ctc.ca.gov/commission/agendas/2012-04/2012-04-6A.pdf>

played by teachers and school leaders in improving student learning, the Educator Excellence Task Force is:

- Developing a comprehensive recruitment, training and preparation framework for both new and experienced educators;
- Encouraging the development of more effective educator evaluation systems;
- Ensuring that these systems are supported by training for evaluators, mentoring for teachers, and professional development programs; and
- Recommending how these systems should be designed, supported, and implemented.

Fiscal Impact

Because the bill's provisions are permissive, SB 1292 has no cost. School districts may determine whether to implement their principal evaluations to align with criteria outlined in the bill or by some other criteria. In this era of budget constraints, the author has indicated that this bill is intended only to lay the foundation of a principal evaluation system.

There are no costs to the Commission.

Relevant Commission Legislative Policies

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

Association of California School Administrators (sponsor)
California School Boards Association

Opposition

None noted at this time.

Reason for Suggested Position

SB 1292 builds on the administrative services credential preparation by establishing the CPSELs as the foundation for evaluation for principals in the workplace. This foundation extends the "Learning to Lead" system established by the Commission and reaffirms that the essentials of administrator preparation will be carried through in the evaluative framework of the administrator's employment. For these reasons, staff is recommending a "**Support**" position on SB 1292.

Analyst: Anne L. Padilla

Date of Analysis: May 23, 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.

