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# 4A

## Information

### *Legislative Committee*

### Status of Legislation

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**Executive Summary:** Staff will present the status of those legislative measures of interest to the Commission and address questions regarding any other legislation identified by Commissioners.

**Recommended Action:** For information only

**Presenter:** Sasha Horwitz, Government Relations & Public Affairs Manager,  
Administrative Services Division

### Strategic Plan Goal

#### *III. Communication and Engagement*

- e) Advise the Governor, Legislature, and other policy makers regarding issues affecting the quality, preparation, certification, and discipline of the education workforce.

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## 2021-22 Budget Revision Highlights

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At the conclusion of the 2021 legislative session, Legislators revised the previously adopted 2021-22 State Budget. These changes were intended to address various issues that arose after the passage of the main budget across myriad state functions, including but not limited to adjusting state appropriations amounts, correcting statutory drafting errors, clarifying confusing or misleading statutes, or creating policies to improve the state's response to the pandemic.

Changes relevant to the Commission's work found in [SB 170 – Budget Act of 2021](#) and [AB 167 - Education Finance: Education Omnibus Budget Trailer Bill](#) are summarized below.

### **Commission Staffing**

The revised budget updates the Commission's expenditure authority to authorize the hiring of five full time staff, two to support outreach, contracting, and administration of grants; two to support updates to teacher testing related to literacy and dyslexia; and one to provide administrative and contracting support through the Fiscal and Business Services office.

### **Basic Skills Options Clean-Up**

The recently adopted Basic Skills coursework option statute was amended to clarify that quarter-length courses of at least four units may be used as qualifying coursework (previously the statute was interpreted as requiring the quarter-length courses to be 4.5 credits). Another amendment was added to allow either the credential program or the Commission to determine basic skills proficiency in basic reading, writing, and mathematics skills in the English language through a combination of qualifying coursework and examinations (previously only a credential program was authorized to make this determination).

### **Temporary 60-Day Cumulative Assignment Length for Substitutes**

Due to ongoing substitute teacher shortages resulting from the pandemic, the Legislature extended the maximum length of time a substitute may teach cumulatively in one classroom to 60 days. The extension applies to multiple subject, single subject, education specialist, and career technical education substitutes. The authorization only allows the substitute to serve in an assignment that matches their authorization. This extension expires July 1, 2022.

### **Sexual Orientation and Gender Identify Data Collection**

Legislation passed in 2018 known as the *Lesbian, Gay, Bisexual, and Transgender Disparities Reduction Act* requires various state agencies, including the Commission, to collect voluntary self-identification information pertaining to sexual orientation and gender identity whenever the agency collects demographic data as to the ancestry or ethnic origins of Californians.

While the author intended for the Commission to collect this data from teacher candidates, as written, the law required the Commission to collect this data from intermediaries such as preparation programs, grant recipients, induction programs, or employers. The amendment now matches the original intent by requiring the Commission to collect this voluntary demographic data as part of the initial or renewal application, or from an applicant formally recommended by a Commission-approved program. The Commission may not disclose personally identifiable information collected in this manner.

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## **Status of Legislation**

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This agenda item provides an update on Commission sponsored legislation as well as bills that the Commission is monitoring or has taken a position on.

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## Positions on 2021 Legislation

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*The Commission has sponsored two legislative proposals, taken a support position on a third, and taken an oppose unless amended position on a fourth.*

### [AB 320 \(Medina\) - Teacher Preparation Programs: Regionally Accredited Institutions](#)

**Introduced:** January 26, 2021

**Last Amended:** September 3, 2021

**Status:** Awaiting Governor's signature

**Position:** Sponsor

**Summary:** This bill would allow the Commission to recognize a degree conferred by an institution of higher education (IHE) in preaccreditation status as valid once the IHE and program of study successfully complete the accreditation process.

### [AB 437 \(Kalra\) - Teacher Credentialing: Subject Matter Competence](#)

**Introduced:** February 4, 2021

**Last Amended:** n/a

**Status:** Pulled from consideration at request of the author

**Position:** Sponsor

**Summary:** This bill would give teaching credential candidates additional flexibility for demonstrating that they meet the statutory subject matter requirements (SMR) for the credential they are seeking. In addition to taking and passing a California Subject Examinations for Teachers (CSET) and completion of a Commission approved Subject Matter Program, candidates would be permitted to use undergraduate or graduate coursework, completed as part of a major at a regionally accredited institution of higher education, to demonstrate competency aligned with existing SMRs. They would also be permitted to combine CSET test results and completed subject matter coursework to demonstrate subject matter competence.

**Additional Notes:** AB 437 was pulled from consideration after a substantially similar measure was enacted as part of the 2020-21 state budget agreement. This version is effective as of July 9, 2021.

### [AB 312 \(Seyarto\) - Teacher Credentialing: Basic Skills Proficiency Test: Exemption](#)

**Introduced:** January 25, 2021

**Last Amended:** n/a

**Status:** Pulled from consideration at request of the author

**Position:** Support

**Summary:** This bill would create a new option for teacher candidates to demonstrate the Basic Skills Requirement (BSR) by permitting the Commission to accept letter grades of B or higher in credit-bearing higher education coursework in basic reading, writing, and mathematics skills in the English language in place of the CBEST. The measure will further permit candidates to meet the BSR through a combination of different options.

**Additional Notes:** AB 312 was pulled from consideration after a substantially similar measure was enacted as part of the 2020-21 state budget agreement. This version is effective as of July 9, 2021.

**[AB 898 \(Lee\) - Criminal records: automatic conviction record relief](#)**

**Introduced:** February 17, 2021

**Last Amended:** September 3, 2021

**Status:** Awaiting Governor's Signature

**Position:** Oppose Unless Amended

**Summary:** This bill requires the Department of Justice (DOJ) to electronically submit notice of conviction record relief (expungement) to both the transferring court and any subsequent receiving court in cases where probation has been transferred from one county to another. The bill prohibits any disclosure of these records, except to the person whose conviction was granted relief or a criminal justice agency. This prohibition applies to the Commission.

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## 2021-22 Legislation of Interest

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*The Legislature is currently in the first year of the two-year 2021-22 legislative session.*

### **Examinations**

#### **[SB 488 \(Rubio\) - Teacher credentialing: reading instruction](#)**

**Introduced:** February 17, 2021

**Last Amended:** August 30, 2021

**Status:** Awaiting Governor's Signature

**Summary:** This bill would make changes to the Reading Instruction Competence Assessment (RICA) statute. In alignment with the current English Language Arts/English Language Development (ELA/ELD) Framework, the bill would add effective means of teaching literacy and evidence-based means of teaching foundational reading skills to the minimum requirements to a Multiple or Single Subject credential.

Starting September 1, 2022, these requirements would need to be included in the standards of program quality and effectiveness for the preliminary Multiple, Education Specialist and Single Subject English language arts credentials. Additional standards would be required starting September 1, 2024, including satisfactory completion of research-based comprehensive reading instruction; direct, systematic, explicit phonics; and for multiple subject credentials the study of integrated methods of teaching language arts.

Starting July 1, 2025, the RICA test would no longer be required, instead the Commission would be required to approve a Teaching Performance Assessment that assesses all candidates for competence in instruction in literacy, including but not limited to evidence-based methods of teaching foundational reading skills. These must be aligned to the ELA/ELD Framework, Teaching Performance Expectations and program standards of quality and effectiveness.

### **Preparation Programs**

#### **[AB 815 \(Luz Rivas\) - School nurses: credentialing](#)**

**Introduced:** February 16, 2021

**Last Amended:** August 26, 2021

**Status:** Awaiting Governor's Signature

**Summary:** This bill would clarify that the Commission may approve a program operated by a Local Education Agency program sponsor for a services credential with a specialization in health for a school nurse. Eligible Local Education Agencies must have total enrollment of at least 40,000 pupils. Program approval would be consistent with existing school nurse credential standards.

### **Grant Programs**

#### **[AB 498 \(Quirk-Silva\) - Teachers: Computer Science Access Initiative](#)**

**Introduced:** February 9, 2021

**Last Amended:** June 22, 2021

**Status:** Pulled from consideration at request of the author

**Summary:** This bill would establish the “Computer Science Access Initiative” grant program to be administered by the Commission for the purpose of increasing the number of teachers authorized to teach computer science. Implementation of the grant program is contingent on an appropriation in the state budget.

**Additional Notes:** The 2021-22 state budget includes a substantively similar proposal called the Computer Science Supplementary Authorization Incentive Grant Program, which would appropriate \$15 million in grants to local education agencies (LEAs) to incentivize current teachers to earn a supplemental authorization in Computer Science. Participating teachers would be eligible for up to \$2,500 from the LEA toward the costs of coursework, books, fees, and tuition.

**[AB 520 \(Gipson\) - Teacher retention: California Diversifying the Teacher Workforce Grant Program](#)**

**Introduced:** February 10, 2021

**Last Amended:** April 13, 2021

**Status:** Pulled from consideration at request of the author

**Summary:** This bill would establish the “California Diversifying the Teacher Workforce Grant Program” to be administered by the state Department of Education for the purpose of recruiting, developing, and implementing new, or expanding existing, programs that address a local need to develop a teacher workforce that serves all pupil populations, including Black pupils. Implementation of the grant program is contingent on an appropriation in the state budget.

***Early Childhood Education***

**[AB 22 \(McCarty\) - Transitional kindergarten: enrollment: funding: planning workgroups](#)**

**Introduced:** December 7, 2020

**Last Amended:** July 1, 2021

**Status:** Held in the Senate Appropriations Committee

**Summary:** Major provisions of the proposal were passed as part of the TK-12 education trailer bill, which extends access to transitional kindergarten programs to all five-year-olds, phased in over four years. Late amendments to this bill significantly limited its scope. The bill would require additional adjustments to the Local Control Funding Formula base grant based on the number of transitional kindergarten pupils enrolled and would require each County Superintendent to convene a local transitional kindergarten planning workgroup to support the successful implementation of transitional kindergarten.