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Action

Certification Committee

Report to the Legislature on Credentialing Related to Noncore Teaching Assignments Pursuant to Assembly Bill 1505

Executive Summary: This agenda item is in response to Education Code section 47605.4(b) which requires the Commission to report to the Legislature, by June 30, 2022, a comprehensive study to examine whether existing certificates, permits, or other documents adequately address the needs for noncore, noncollege preparatory courses in all schools.

Recommended Action: That the Commission approve the Assembly Bill 1505 Report for transmittal to the Legislature.

Presenters: Erin Skubal, Director, and Erin Henderson, Assignment Program Manager, Certification Division

Strategic Plan Goal

II. Program Quality and Accountability

- a) Develop and maintain rigorous, meaningful, and relevant standards that drive program quality and effectiveness for the preparation of the education workforce and are responsive to the needs of California's diverse student population.

Report to the Legislature on Credentialing Related to Noncore Teaching Assignments Pursuant to Assembly Bill 1505

Introduction

This agenda item is in response to Education Code section 47605.4(b) which requires the Commission to report to the Legislature, by June 30, 2022, a comprehensive study to examine whether existing certificates, permits, or other documents adequately address the needs for noncore, noncollege preparatory courses in all schools.

Background

Currently, state law requires all schools to conduct teacher assignment monitoring to ensure that all teachers hold the necessary credential(s) for their teaching assignments. Prior to the passage of Assembly Bills (AB) 1219 (Chap. 782, Stats. 2019) and 1505 (Chap. 486, Stats. 2019), charter schools were not subject to the same credentialing provisions and assignment monitoring requirements as non-charter public schools. As of January 1, 2020, these pieces of legislation went into effect, and the assignment requirements across all schools became more aligned.

AB 1505 also required the Commission to examine assignments in noncore classrooms to understand credentialing needs. Education Code section 47605.4(b) states that “By June 30, 2022, the Commission on Teacher Credentialing shall conduct a comprehensive study to examine whether existing certificates, permits, or other documents adequately address the needs for noncore, noncollege preparatory courses in all schools. Based on the findings, the commission shall consider establishing new or modifying existing certificates, permits, or other documents and, if necessary, shall make recommendations to the appropriate policy committees of the Legislature.” This item intends to fulfil that mandate.

Staff Recommendation

That the Commission approve the Assembly Bill 1505 Report for transmittal to the Legislature.

Report to the Legislature on Credentialing Related to Noncore Teaching Assignments Pursuant to Assembly Bill 1505

Background

Currently, state law (Education Code §44258.9) requires all schools to conduct teacher assignment monitoring to ensure that all teachers hold the necessary credential(s) for their teaching assignments. Prior to the passage of Assembly Bills (AB) 1219 (Chap. 782, Stats. 2019) and 1505 (Chap. 486, Stats. 2019), charter schools were not subject to the same credentialing provisions and assignment monitoring requirements as non-charter public schools. As of January 1, 2020, these pieces of legislation went into effect, and the assignment requirements across all schools became more aligned. [Appendix A](#) provides a table showing the comprehensive certification changes in charter schools.

The legislation's main impacts on charter schools were: 1) requiring teachers to satisfy Commission requirements for professional fitness, 2) obligations to engage in annual teacher assignment monitoring, and 3) ensuring teachers employed at charter schools meet the same teacher credentialing requirements as those in non-charter schools. AB 1505 also granted temporary assignment flexibility for those teachers that were employed at charter schools during the school year prior to the legislation taking effect. Prior to the passage of AB 1505, teachers serving in noncore, noncollege preparatory assignments were not required to hold a credential. The intent of the flexibility was to ensure that these educators would not lose their teaching jobs and would be given ample of time to earn the necessary credential(s) to continue to serve in the classroom. Pursuant to Education Code Section §44258.10, teachers using this flexibility are misassigned but can continue to serve in their positions without correction until July 1, 2025.

This flexibility primarily effects charter school educators in [noncore](#) teaching positions, since previous law indicated that charter school teachers serving in [core](#) assignments must be licensed in the same manner as non-charter school teachers, pursuant to Education Code §§47605(l) and 47605.6(l). Therefore, this assignment flexibility did not apply to core curriculum classrooms, which includes the disciplines of English, Math, Science, and Social Science¹.

Along with granting this flexibility, AB 1505 also required the Commission to examine assignments in noncore classrooms to understand credentialing needs. Education Code §47605.4(b) states that "By June 30, 2022, the Commission on Teacher Credentialing shall conduct a comprehensive study to examine whether existing certificates, permits, or other documents adequately address the needs for noncore, noncollege preparatory courses in all schools. Based on the findings, the Commission shall consider establishing new or modifying existing certificates, permits, or other documents and, if necessary, shall make recommendations to the appropriate policy committees of the Legislature." This report intends to fulfil that mandate.

¹ Ref. Education Code §60605(a)(1)(A); California Code of Regulations, Title 5, §11967.5.1

Challenges

The timing of this study presents a few challenges to achieving the intent of the Legislature. First, there is only one year of comprehensive assignment monitoring data available for analysis. AB 1219 created, for the first time, an annual monitoring cycle in which all Local Educational Agency (LEA) certificated assignments are monitored each year through the California Statewide Assignment Accountability System (CalSAAS). Prior to 2020, assignment monitoring results were self-reported by County Offices of Education (COE) and conducted on a four-year cycle, making it difficult to identify trends. Charter schools were also not included in assignment monitoring until the passage of AB 1219 and AB 1505. Additionally, Education Code §44258.9(h) provided that the first year of monitoring – the 2019-20 school year – was “nonconsequential,” specifying that resulting data shall not be made publicly available by the Commission. This means that only one year worth of assignment data is available, as the 2019-20 monitoring cycle was effectively a pilot year intended to allow users to become familiar with CalSAAS and to identify system issues prior to the first full, consequential monitoring cycle.

Secondly, Education Code §47605.4(b) was chaptered on October 3, 2019, roughly six months prior to Covid-19 causing school closures and significant impacts to already present teacher shortages. Teacher and substitute shortages have been a hallmark of the past several years, inspiring flexibilities through legislation² and Executive Orders³ to address staffing needs or waive certification requirements during the pandemic. Furthermore, all of California’s public schools had to make major adjustments to accommodate student safety. This included a shift to distance learning and independent study instructional strategies – which is reflected in the 2020-21 assignment data. The need for rapid adjustments created challenges for all schools. For charter schools, this time represented approximately half of the allotted assignment flexibility offered by AB 1505. Conversations with stakeholders representing the California Charter Schools Association (CCSA) indicate that the pandemic had an adverse effect on their constituent’s ability to usher educators into earning their proper certification.

Assignment Monitoring Data

Assignment monitoring results for noncore assignments were used to inform this study. Assignments for all educators throughout the state are monitored through the CalSAAS. The CalSAAS works by comparing the California Department of Education’s California Longitudinal Pupil Achievement Data System (CALPADS) assignment data with the Commission’s credential authorization data using the California Statewide Educator Identifier (SEID) for each educator. Through this comparison, the system identifies questionable assignments, referred to as “exceptions,” and provides LEAs and COEs with an opportunity to address issues and identify misassignments.

Teaching Assignments for Noncore Classes

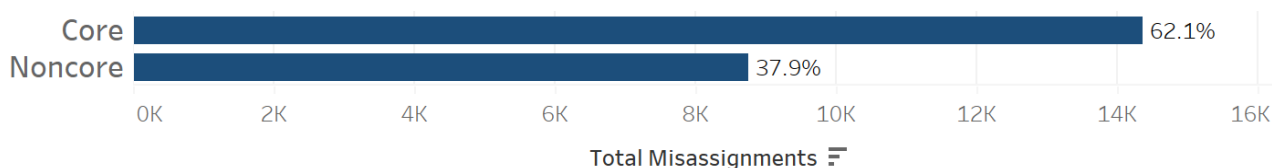
In order to understand the full scope of teaching assignments in noncore classes, as well as gauge the impacts of AB 1505, the assignment conditions in noncore classrooms were compared to those of core classrooms. This comparison helps to understand if trends exist only

² Assembly Bill (AB) 130 (Chap, 44, Stats. 2021)

³ Exec. Order No. N-3-22 and Exec. Order No. N-66-20

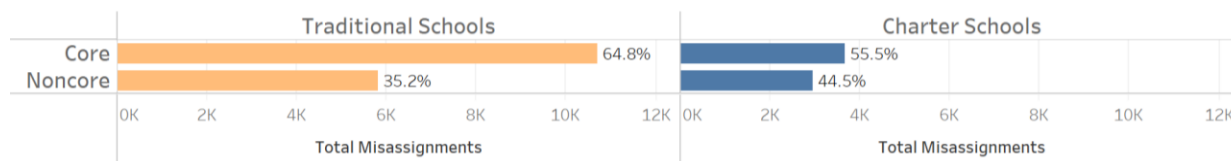
in noncore classrooms, or if the same conditions exist across all content areas being taught in public schools. The state-level results for this comparison can be found below in *Figure 1* and show that core classrooms make up more total [misassignments](#), with 62% of all misassignments occurring in classrooms delivering this type of content.

Figure 1: Share of Misassignments in Core vs. Noncore classrooms in All Schools



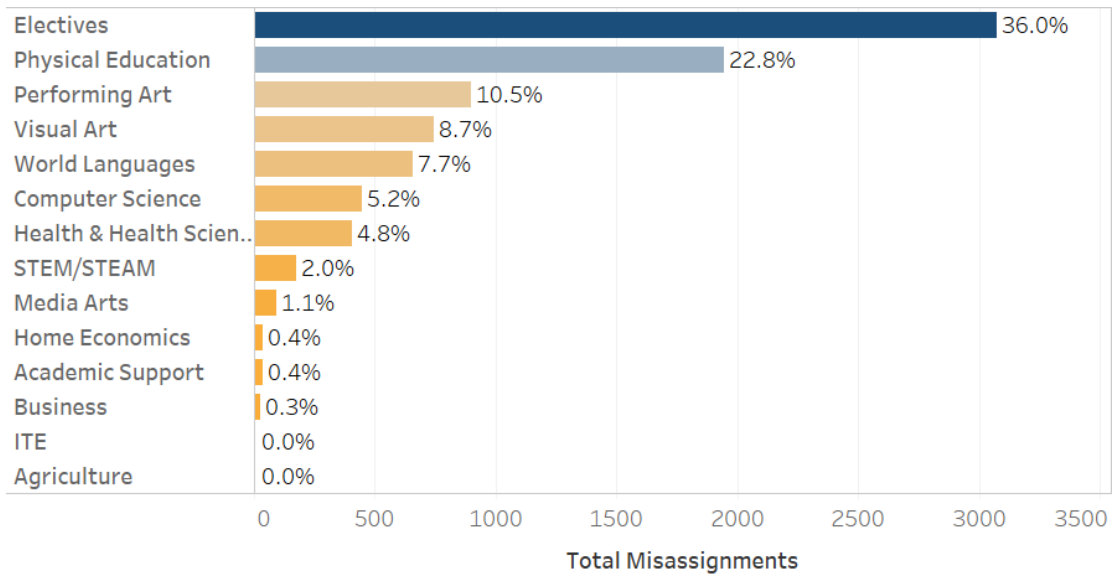
Furthermore, when these results are divided, one can see the share of each type of misassignment in different educational sectors, comparing traditional and charter schools. *Figure 2* demonstrates that both traditional and charter schools have more challenges assigning appropriately credentialed educators in core classrooms, but charter schools see less difference between the two classroom types. In traditional schools, there are 29.6% more misassignments in core settings, whereas in charter schools this disparity falls to 11%.

Figure 2: Share of Misassignments in Traditional vs. Charter Schools



Additionally, when examining the specific subjects that comprise the misassignments in noncore classes, the results across all public schools show that the majority of misassignments occurred in elective courses, as found in *Figure 3*. This type of course is defined as one that falls outside of the statutory subject areas provided by Education Code (EC) § 44257, and clarified by California Code of Regulations, Title 5 (T5), §80005. These include courses such as Home Room, Student Government, and Study Hall. The credentialing requirements for staffing these courses are lenient, as T5 §80005(b) provides that any teacher who has earned a credential based on a bachelor’s degree and student teaching can teach these courses. However, this definition excludes educators teaching on the basis of emergency, intern, and waiver certificates from being appropriately assigned to these courses. Analysis of elective misassignments demonstrates that 44.5% result from an educator holding one of these documents.

Figure 3: Noncore Misassignments by Subject (All Schools)



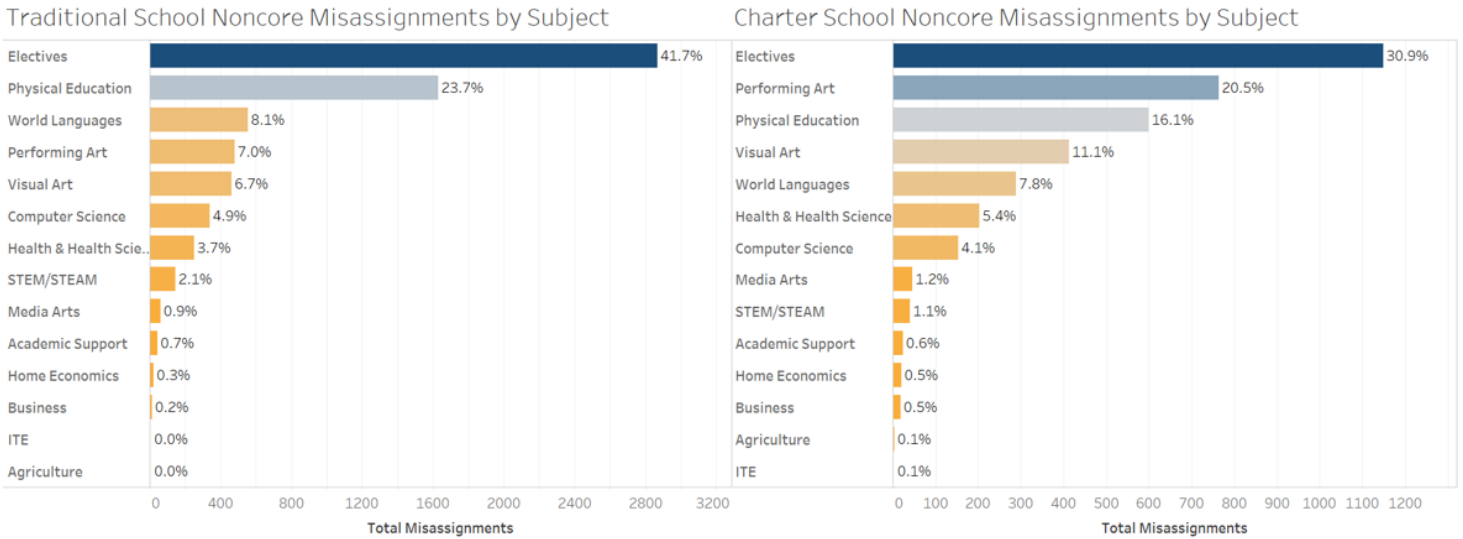
Physical Education courses saw the second highest number of misassignments with 1,945 in total. This subject area comprises almost a quarter of the misassignments in noncore classes. A look at teacher supply in California shows that, over the last five years, an increasing number of educators are earning Physical Education credentials. *Table 1* below shows this trend, culminating with a 16.8% increase in issuance in the 2020-21 fiscal year. Visual Art and Foreign Languages do not show the same sustained upward longitudinal trend of teacher supply, but these credential areas are trending generally towards increased issuance, as each subject shows increases of 5.8% and 2.4% issuances in the 2020-21 school year. The Commission recently began issuing credentials in the performing arts areas of Dance and Theater, so a trend in issuance for these subjects cannot currently be identified.

Table 1: Number of New Physical Education Authorizations issued Per Fiscal Year

	2016-17	2017-18	2018-19	2019-20	2020-21
Total Issued	731	828	834	850	993
Percentage Change	N/A	13.3%	0.7%	1.9%	16.8%

These misassignment trends sustained across both core and noncore classes. *Figure 4* provides a comparison of the types of misassignments that occur in both traditional and charter schools. In both, electives are the most misassigned classes, followed by Physical Education. However, traditional schools have a higher concentration of misassignments in these areas (65%), whereas these subjects encompass 47% percent of all charter school noncore misassignments. This leads to more dispersion of misassignments across the various other noncore content areas in charter schools.

Figure 4: Noncore Misassignments by Subject Across Educational Sectors



Performing Arts – which includes Dance, Music, and Theatre courses – has the second most misassignments in charter schools with 20.5% of the 763 total misassignments. In traditional schools, Performing Arts represents only 7% of the total, or 479 total misassignments. The ratio of teachers in traditional vs. charter schools must be expounded upon to understand this.

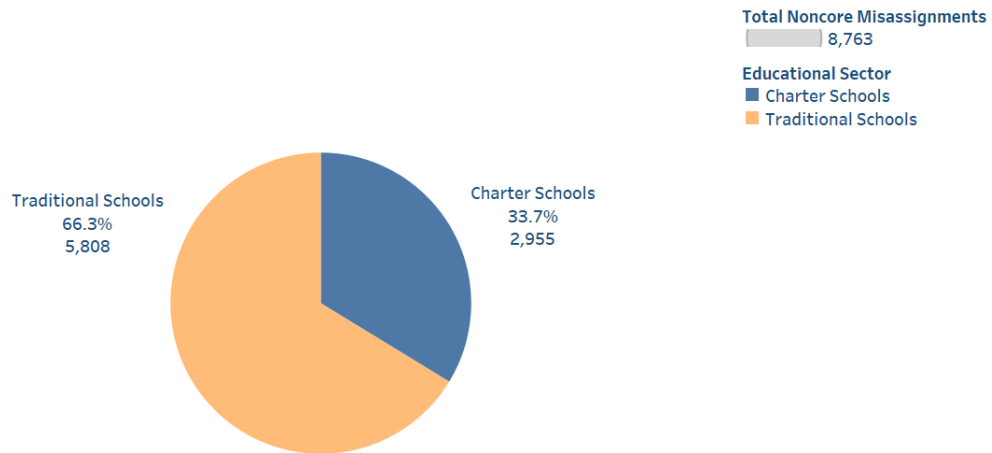
Charter Schools

As of the 2020-21 school year, there were nearly 1,300 charter schools in operation and approximately 11.5% of California’s students were enrolled in a charter school.⁴ These schools comprise approximately 12% of the 10,545 public schools operating in the state.⁵ There are fewer educators working in this sector, and therefore fewer opportunities for these schools to accrue misassignments. This is apparent in *Figures 2 and 5* when the numbers of total misassignments are compared in each sector. Even so, the share of noncore misassignments between the two sectors can be seen in *Figure 5*. Almost exactly one-third of all noncore misassignments occur in charter schools though they represent one-tenth of the educational landscape.

⁴California Department of Education. (April 2022). Charter Schools - CalEdFacts. Retrieved from California Department of Education: <https://www.cde.ca.gov/sp/ch/cefcharterschools.asp>

⁵ California Department of Education. (2022, April 13). *Fingertip Facts on Education in California*. Retrieved from California Department of Education: <https://www.cde.ca.gov/ds/ad/ceffingertipfacts.asp>

Figure 5: Share of Misassignments in Each Educational Sector



Flexibility Within AB 1505

The number of misassignments identified for charter schools includes educators that are assigned based on the charter school teacher flexibility provided by AB 1505. EC §44258.10 states that this flexibility does not rectify the misassignment but does allow misassigned educators to remain in their positions until July 1, 2025. The intent is to prevent staffing shortages at charter schools and to give opportunities for educators in these positions to earn the appropriate credentials for their assignments.

If these misassignments are removed from the figure above, the number of misassignments for charter schools is reduced by 805. This would assume that once the teachers serving on this flexibility are appropriately credentialed, instead of charter school assignments accounting for one-third of all misassignments, they would account for closer to one-quarter of statewide misassignments, or 27% (2,150 total).

This framing is important as credentials were not required in noncore assignments prior to AB 1219 and 1505. Instead, charter schools were given assignment flexibility in EC §47605(l) to assign individuals with expertise in their content area to teach noncore, non-college prep classes. According to a representative from the CCSA, this is because the intent of these schools is to be “labs of innovation” for the educational system. This is enforced in statute, with Education Code §47601 stating that *“It is the intent of the Legislature, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to... (c) Encourage the use of different and innovative teaching methods.”* In this spirit, charter schools previously had the autonomy to hire teachers without credentials for noncore classes when those teachers had skills and experience uniquely aligned to the mission of the school or program.

Outreach

To better understand the impacts of these credentialing requirements on all schools, the Commission solicited feedback through use of a survey, which was sent to school personnel

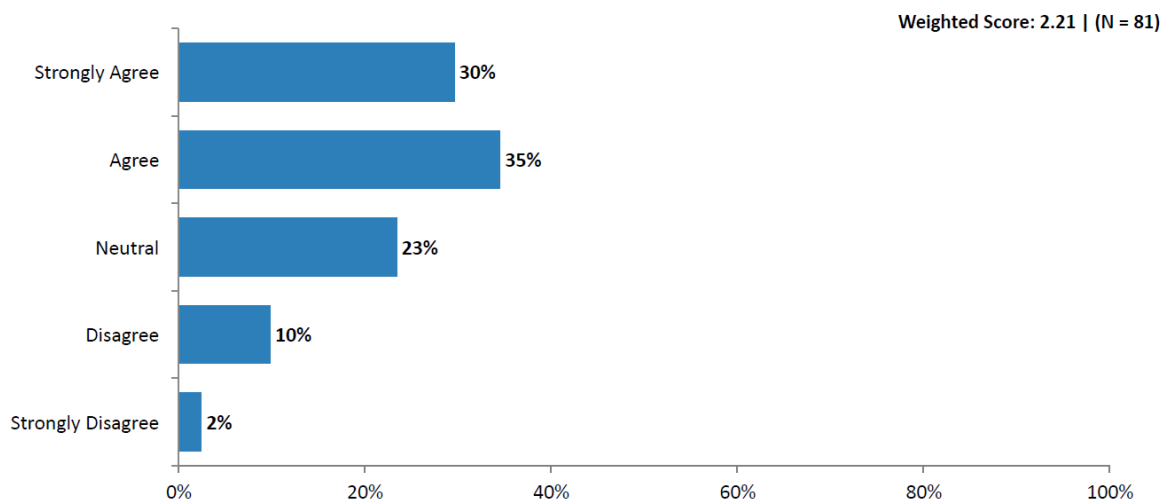
that had knowledge of educator assignments or monitoring experience with charter and/or non-charter schools. It was released widely and garnered 159 respondents, the majority of which represented traditional educational segments – School Districts and County Offices of Education (COEs) at 72% – with charter schools represented by 27% of respondents. Only those respondents who monitored or assigned educators in charter schools were able to respond to questions concerning charter school assignments.

The Commission also engaged in conversations with its partners at the CCSA. A recurring concern that the charter school representatives expressed was related to the hardships anticipated in staffing noncore teaching positions after the AB 1505 flexibility expires. They have expressed that, while teachers may be aware of the need to meet certification deadlines by 2025, the pandemic and its related staffing shortages has severely impacted access to preparation programs and has impeded individuals from making significant progress towards earning a credentials. Furthermore, CCSA also noted concerns that those uncredentialed teachers are not willing or able to make progress towards some type of certification through the traditional means due to cost, time, and inability to return to school.

The survey responses echoed this sentiment in the question displayed in *Figure 6*. Though the majority of respondents said that educators had some level of awareness of the requirements to obtain appropriate credentials (67%), they were less confident about educators making progress towards this goal. In this case, respondents were most likely to think that uncredentialed teachers were “sometimes” making progress towards this goal. Additionally, the majority of respondents either agreed (35%) or strongly agreed (30%) that charter schools will experience staffing shortages in noncore classrooms once the flexibility expires.

Figure 6: Shortages after 1505 Flexibility Expires?

Do you believe that charter schools will experience staffing shortages in non-core classrooms when the flexibility provided by AB 1505 expires in 2025?

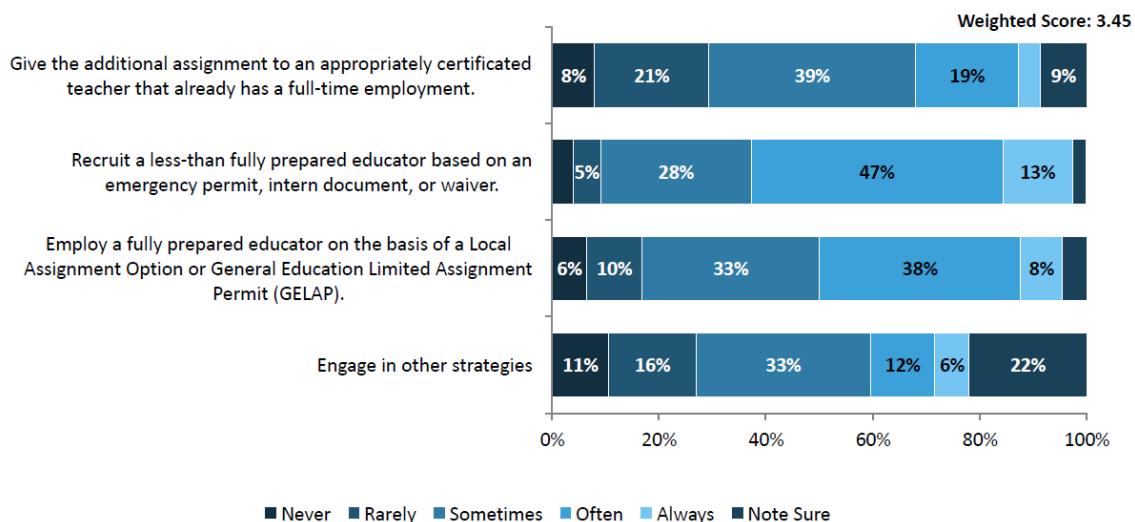


Furthermore, the most often expressed concern from respondents was the lack of qualified teacher candidates. When asked to provide insight into the challenges respondents experience

in staffing noncore classes, the answer given with the most frequency spoke to the lack of qualified applicants (36%).

Figure 7: Methods of Addressing Staffing Shortages

When you cannot find a qualified teacher to staff an assignment, is your local educational agency most likely to:



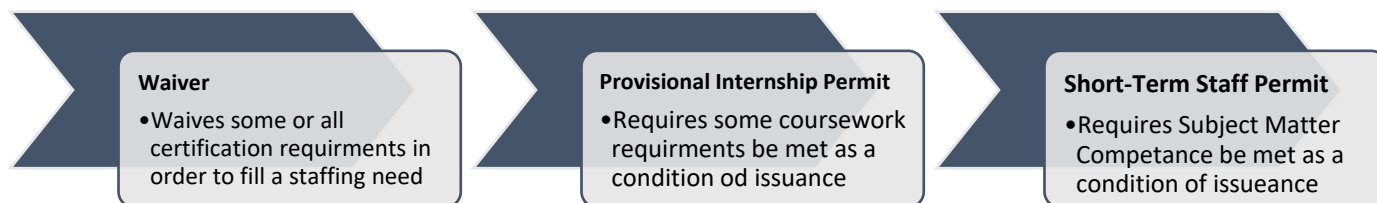
Respondents did weigh in on what steps they take when they cannot find a qualified teacher candidate in the question displayed in *Figure 7*. They are most likely to recruit less than fully prepared educators on emergency permits, intern credentials, or waivers. Though emergency permits are often referred to as “bridge documents” because they offer entrance into the profession, service provided while serving on these permits does not satisfy any of the credentialing requirements of a full credential. Further, many educators that start teaching on these permits do not move on to become fully prepared teachers. A brief produced by the California Teacher Education Research and Improvement Network (CTERIN) found that “Statewide, less than 40% of new teachers who begin with a waiver or emergency permit go on to become fully prepared. More than 40% of these teachers end up leaving the profession by the end of their third-year teaching.” The same study also found that teachers identifying as Black or Hispanic are more likely to pursue these routes to licensure.⁶

One concern surfaced by the survey is that employers may use a succession of emergency documents that are in and of themselves only valid for one year to keep educator candidates employed for three years. The typical sequence employers use to keep these educators in the classroom without earning a full document can be found in *Figure 8*. This ladder into credentialing could allow educators serving on these documents to stay in a classroom for three consecutive years while making no progress towards full certification. Pursuant to California

⁶ Ong, C., La Torre, D. Griffin, N., Leon, S., Sloan, T., Smith, T. & Cai, L. (2021). CTERIN Policy Brief: Diversifying California's Teaching Force: How Teachers Enter the Classroom, Who They Serve, & If They Stay. California Teacher Education Research & Improvement Network. <https://cterin.ucop.edu/resources/>

Code of Regulations, Title 5, §80026.5, emergency permit holders must receive orientation, guidance, and assistance while in their positions. However, there is no guarantee that these educators will move into a full teaching license.

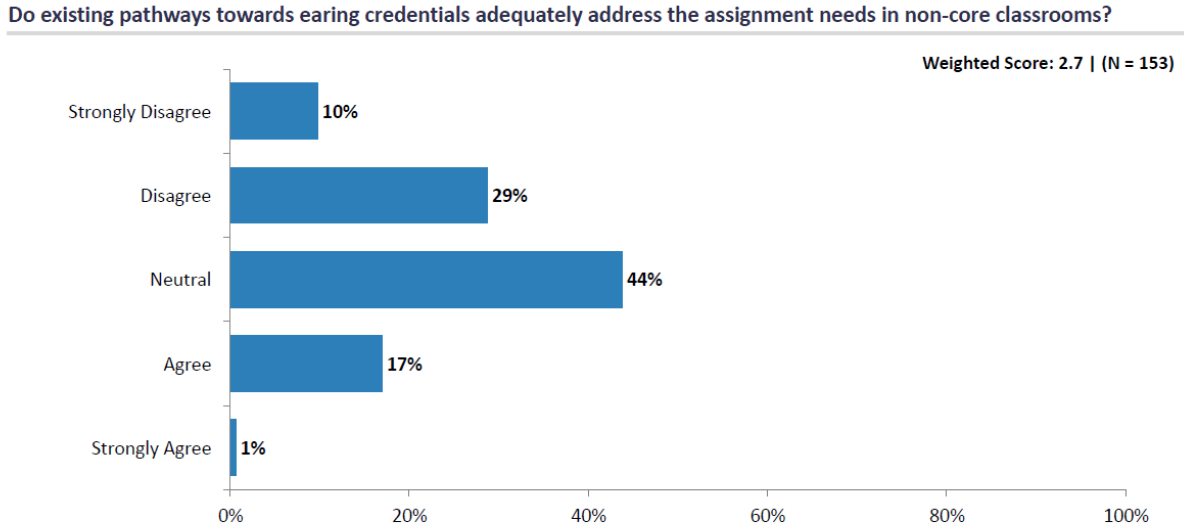
Figure 8: Emergency Document Employment Sequence



Respondents also indicated that they filled staffing needs by recruiting out-of-field educators on Local Assignment Options (LAOs) or General Education Limited Assignment Permits (GELAP). These assignment options are both only available to fully credentialed teachers. Those serving on LAOs are serving outside of their credential authorization area or subject but do often need to demonstrate expertise or preparation in the subject being taught. GELAP holders do not need to demonstrate expertise or preparation in the subject they are teaching upon initial issuance of the permit but are expected to make progress towards earning the full credential authorization upon renewal. Of all the employment methods noted, only Intern and GELAP documents require the holder to be working towards earning the necessary credential or authorization.

Survey respondents were asked about the adequacy of existing credential pathways for addressing assignment needs in the question displayed in *Figure 9*. Only 18% agreed or strongly agreed that existing credential pathways were sufficient. Likewise, 39% disagreed or strongly disagreed that they met the needs of employers. A large proportion (44%) remained neutral.

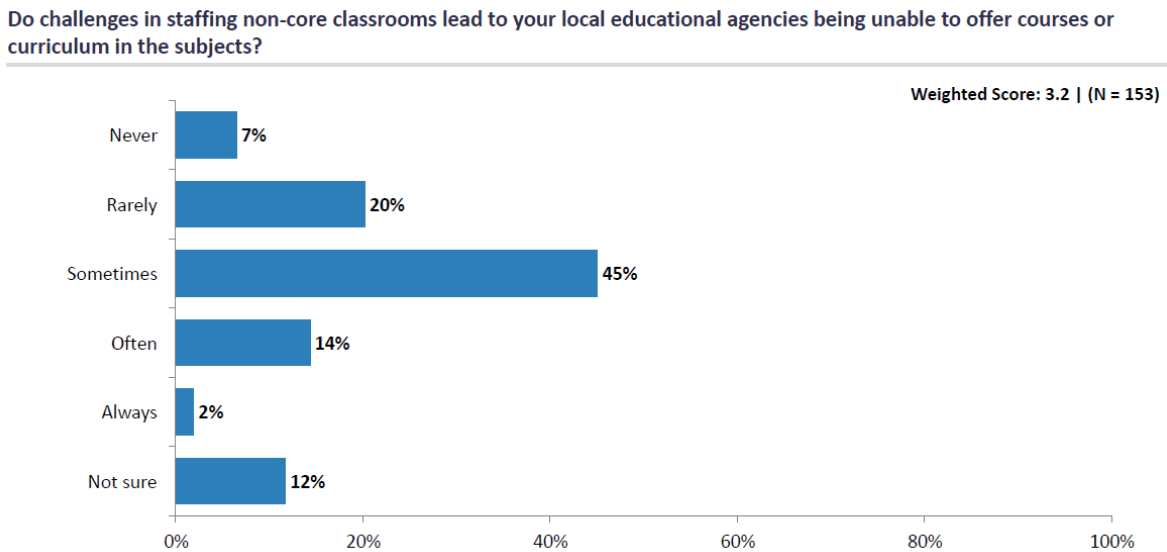
Figure 9: Adequacy of Existing Pathways



Impacts of Teacher Shortages

A lack of available educators could affect student access to noncore courses or the type of instruction they receive in these courses. The survey asked respondents if staffing issues in noncore courses leads to LEAs being unable to offer these courses in the question displayed in *Figure 10*. 61% of respondents replied affirmatively, with 45% selecting “sometimes,” 14% selecting “often,” and 2% selecting “always.” One respondent replied to a question asking for insight into the staffing challenges with, “*I think the biggest issue is that, because we have to focus on core assignments, the noncore assignments, which are important, are being phased out little by little.*”

Figure 10: Staffing Challenges Leading to Reduced Courses



Efforts to combat the teacher shortage are underway, including proposals to expand supports for teacher preparation pathways and grant opportunities. Some of the most significant efforts include \$1.5 billion in funding for the Educator Effectiveness Block Grant, which provides funding for school districts, COEs, charter schools, or state special schools to provide professional learning for teachers, administrators, and paraprofessionals. Additionally, funding of up to \$20,000 is available for educators through the Golden State Teacher Grant Program for individuals to earn their preliminary teaching credential. The 2020-21 state budget has also earmarked \$492 million for the Commission to continue to administer grants to address teacher shortages. \$350 million in grants were provided to support teacher residency programs for teachers in designated shortage fields which includes special education, bilingual education, science, computer science, technology, engineering, mathematics, and transitional kindergarten. Another \$125 million in grants was appropriated for the Classified School Employee Teacher Credentialing Program, which provides grants to LEAs to recruit and support current classified staff who already hold an associate or higher degree to earn a teaching credential. Finally, the state budget included \$15 million to increase the number of current teachers authorized to teach Computer Science.

Conclusions

Analysis of available assignment data shows that core courses are more often misassigned than noncore courses and demonstrates that there are proportionally more misassignments in noncore settings at charter schools than in traditional schools. This indicates that there is a more prominent assignment issue in core settings than in noncore settings, though charter schools experience more parity between the two.

However, given that the Commission only has one year of assignment data, there is no option to perform meaningful longitudinal analysis at this time. Further analysis of assignment monitoring results over multiple years would allow for establishing trends in charter schools' reliance on AB 1505 flexibility, the prominence of misassigned educators in noncore classrooms across sectors, and sustained areas of shortage. This year's assignments were also heavily impacted by the COVID-19 pandemic, which increased the use of distance learning and independent study instructional strategies, all of which affect teacher assignments. This year's data could easily be anomalous compared to future, non-COVID years. Further analysis of assignment trends after the completion of monitoring through year five would produce a better idea of what the landscape for teacher assignments in noncore classes truly is.

In the meantime, survey respondents across sectors indicated that teacher shortages were impeding hiring, and that charter schools would experience staffing problems once the AB 1505 flexibility expired. Charter schools represent over a tenth of the educator workforce and further issues with teacher supply in these schools will impact California as a whole. As well, these schools experienced COVID challenges during the first half of the five-year flexibility period. Consideration of an extension of the AB 1505 charter school teacher flexibility period could help charter schools achieve the goals of moving their uncredentialed teachers into a full teaching credential while also addressing the challenges created due to COVID.

Definitions

Core Subjects

Core curriculum areas are defined by Education Code §60605(a)(1)(A) as including Reading, Writing, Mathematics, Social Science, and Science. When applied to the Subject Areas the Commission offers, this includes the following subjects and all subjects subsumed under them pursuant to [California Code of Regulations, Title 5, §80005\(a\)](#):

- English
- Mathematics
- Science: Biological Science
- Science: Chemistry
- Science: Geoscience
- Science: Physics
- Social Science

It also includes self-contained classrooms in which multiple subjects are taught to a group of students throughout the school day because portions of this content are included in daily instruction.

Noncore Subjects

These subjects include the remaining subjects that are excluded from the core category and those subsumed under them pursuant to [California Code of Regulations, Title 5, §80005\(a\)](#):

- Agriculture
- Art
- Business
- Dance
- Health
- Home Economics
- Industrial and Technology Education
- Music
- Physical Education
- Theater
- World Languages
- Electives that fall outside of any single subject area (e.g., Homeroom or Study Hall)
- Subjects that are subsumed under both a core and noncore subject in T5 §80005(a) (e.g., Humanities; Computer Science/applications; and Science, Technology, Engineering, and Mathematics (STEM) courses)

NOTE: This definition does not include Career Technical Education (CTE) Assignments because they are outside of the scope of the language provided by EC §47605.4(b).

Misassignment

A Misassignment represents a teacher not appropriately authorized for their assignments. If one teacher has several of the same assignment, they are not credentialed for, it will count as

one misassignment. Therefore, misassignments do not represent the number of misassigned courses, but the number of misassigned teachers.

Misassignments is a broad term that includes several determinations used during monitoring, including:

- Misassignments and corrected misassignments
- Vacancies
- Unmonitored assignments
- 2019-20 Charter

Appendix A

The table below describes which credential and assignment facets charter schools are subject to after the passage of the abovementioned legislation, and how they compare with traditional schools. A “yes” indicates that the LEA is subject to the credentialing, fitness, or monitoring requirements provided by state law, and a “no” signals exemption.

Setting or Scenario	Traditional Schools	Charter Schools Prior to January 1, 2020	Charter Schools after January 1, 2020
CTC Professional Fitness evaluation required	Yes	No	Yes
Included in Regular Assignment Monitoring	Yes	No	Yes
General Education: <i>Core/College Prep Curriculum</i>	Yes	Yes	Yes
<i>General Education: Noncore Curriculum</i>	<i>Yes</i>	<i>No</i>	<i>Yes</i>
Special Education	Yes	Yes	Yes
English Learner Services	Yes	Yes	Yes
Career Technical Education	Yes	No	Yes
Non-Classroom based Support/Service Assignments	Yes	No	No