

Introduced by Senator O'Connell

February 23, 2001

An act to amend Sections 44279.1 and 52323 of, and to add Section 52335.25 to, the Education Code, relating to regional occupational centers and programs, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 688, as introduced, O'Connell. Regional occupational centers and programs.

Existing law establishes the California Beginning Teacher Support and Assessment System for, among other purposes, providing an effective transition into the teaching career for first-year and second-year teachers, improving the educational performance of pupils through improved training, information, and assistance for new teachers, ensuring the professional success and retention of new teachers, and ensuring that an individual induction plan is in place for each participating beginning teacher and is based on an ongoing assessment of the development of the beginning teacher. Under existing law, a beginning teacher is defined for purposes of the program, as a teacher with a valid California credential or an intern participating an alternative certification program.

This bill would also authorize teachers who provide instruction for pupils in regional occupational centers or programs who are serving in the first or second year of teaching to participate in the California Beginning Teacher Support and Assessment System.

Existing law authorizes the establishment and maintenance of regional occupational centers and programs (ROC/Ps). Existing law provides for the establishment of California Reading Professional Development Institutes, High School English Professional

Development Institutes, and Algebra Professional Development Institutes.

This bill would authorize a teacher who provides instruction in a ROC/P to participate in the above-mentioned professional development institutes if the instruction provided by the teacher is in courses that support pupil success in English language arts or mathematics performance.

Existing law requires the Superintendent of Public Instruction to calculate a revenue limit for each ROC/P in a prescribed manner.

This bill would, notwithstanding any other provision of law, require the Superintendent of Public Instruction to increase the revenue limit for each ROC/P by an amount equal to .04 multiplied by the prior year statewide average revenue limit for ROC/Ps.

The bill would appropriate \$12,100,000 from the General Fund to the Superintendent of Public Instruction for allocation to ROC/Ps. The bill would require the appropriation to be included in the amount appropriated by the state in the 2001–02 fiscal year for the purpose of meeting the state’s minimum funding obligation to school districts and community college districts under Section 8 of Article XVI of the California Constitution for that fiscal year.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 44279.1 of the Education Code is
 2 amended to read:
 3 44279.1. (a) The Legislature finds and declares that the
 4 beginning years of a teacher’s career are a critical time in which
 5 it is necessary that intensive professional development and
 6 assessment occur. The Legislature recognizes that the public
 7 invests heavily in the preparation of prospective teachers, and that
 8 more than half of all new teachers leave some California school
 9 districts after one or two years in the classroom. Intensive
 10 professional development and assessment are necessary to build
 11 on the preparation that precedes initial certification, to transform
 12 academic preparation into practical success in the classroom, to
 13 retain greater numbers of capable beginning teachers, and to
 14 remove novices who show little promise as teachers. It is the intent
 15 of the Legislature that the commission and the superintendent



1 develop and implement policies to govern the support and
2 assessment of beginning teachers, as a condition for the
3 professional certification of those teachers in the future.

4 (b) There is hereby established the California Beginning
5 Teacher Support and Assessment System, to be administered
6 jointly by the commission and the superintendent. In
7 administering the system, the commission and the superintendent
8 shall approve the most cost-effective programs of support and
9 assessment. The commission and the superintendent shall also
10 ensure that programs meet the Standards of Quality and
11 Effectiveness for Beginning Teacher Support and Assessment
12 adopted by the commission in 1997 and that local programs
13 support beginning teachers in meeting the competencies described
14 in the California Standards for the Teaching Profession adopted by
15 the commission in January 1997. The system shall do all of the
16 following:

17 (1) Provide an effective transition into the teaching career for
18 first-year and second-year teachers in California.

19 (2) Improve the educational performance of pupils through
20 improved training, information, and assistance for new teachers.

21 (3) Enable beginning teachers to be effective in teaching pupils
22 who are culturally, linguistically, and academically diverse.

23 (4) Ensure the professional success and retention of new
24 teachers.

25 (5) Ensure that a support provider provides intensive
26 individualized support and assistance to each participating
27 beginning teacher.

28 (6) Improve the rigor and consistency of individual teacher
29 performance assessments and the usefulness of assessment results
30 to teachers and decisionmakers.

31 (7) Establish an effective, coherent system of performance
32 assessments that are based on the California Standards for the
33 Teaching Profession adopted by the commission in January 1997.

34 (8) Examine alternative ways in which the general public and
35 the educational profession may be assured that new teachers who
36 remain in teaching have attained acceptable levels of professional
37 competence.

38 (9) Ensure that an individual induction plan is in place for each
39 participating beginning teacher and is based on an ongoing
40 assessment of the development of the beginning teacher.



1 (10) Ensure continuous program improvement through
2 ongoing research, development, and evaluation.

3 (c) Participation in the system shall be voluntary for teachers,
4 school districts, and county offices of education and participation
5 by certificated employees shall not be made a condition of
6 employment. The commission and the superintendent shall adopt
7 and implement criteria and standards for participation in the
8 system, including criteria regarding the eligibility of teachers and
9 standards of local program quality and intensity for schools,
10 school districts, county offices of education, colleges, universities,
11 and other educational and professional organizations. The criteria
12 and standards shall be consistent with the purposes of the system.

13 (d) For the purpose of this article, unless the context otherwise
14 requires, “beginning teacher,” means a teacher with a valid
15 California credential, as defined in Section 44259, ~~or~~ an intern
16 participating in the program established pursuant to Article 11
17 (commencing with Section 44380) of Chapter 2.5, *or a teacher*
18 *who provides instruction for pupils in regional occupational*
19 *centers and programs*, who is serving in the first year or second
20 year of service.

21 (e) For a beginning teacher who holds a professional clear
22 teaching credential that is subject to the requirements of
23 subdivisions (b) and (c) of Section 44277, participation in the
24 program may, at the teacher’s discretion, serve as part or all of the
25 individual program of professional growth.

26 (f) The superintendent and the commission shall disseminate
27 the California Standards for the Teaching Profession adopted by
28 the commission in January 1997 to colleges, universities, school
29 districts, county offices of education, and professional
30 associations, who shall be encouraged to use the standards in
31 efforts to improve teacher preparation and support programs.
32 Performance assessments developed under this article shall be
33 designed to provide useful, helpful feedback to beginning teachers
34 and their support providers. That information shall not be used for
35 employment-related evaluations, as a condition of employment, or
36 as a basis for terminating employment.

37 (g) It is the intent of the Legislature that the commission and the
38 superintendent establish a statewide teacher induction program
39 that supports locally designed, high quality induction programs
40 that provide individualized support and formative assessment for



1 all participating beginning teachers as defined in subdivision (d).
2 At the discretion of the local beginning teacher support and
3 assessment system teacher induction program, funds allocated to
4 a program on the basis of eligible beginning teachers may be used
5 to provide support, assistance, and preparation services to other
6 credential candidates who are in their first or second year of
7 employment as a classroom teacher.

8 (h) This article shall be known, and may be cited, as the Marian
9 Bergeson Beginning Teacher Support and Assessment System.

10 SEC. 2. Section 52323 of the Education Code is amended to
11 read:

12 52323. (a) No instruction shall be given in a regional
13 occupational center except by a qualified teacher holding a
14 certificate issued pursuant to Chapter 2 (commencing with Section
15 44200) of Part 25 of Division 3 of this title.

16 (b) (1) *A teacher who provides instruction for an ROC/P is*
17 *eligible to participate in the professional development institutes*
18 *established pursuant to Sections 99221, 99222, and 99224 if the*
19 *instruction provided by the teacher is in courses that support pupil*
20 *success in English language arts or mathematics performance on*
21 *statewide achievement tests.*

22 (2) *It is the intent of the Legislature that the professional*
23 *development institutes established pursuant to Sections 99221,*
24 *99222, and 99224 address the integration of career preparation*
25 *programs and academic content standards to maximize the high*
26 *school exit examination passage rate of pupils in career*
27 *preparation programs.*

28 SEC. 3. Section 52335.25 is added to the Education Code,
29 immediately following Section 52335.2, to read:

30 52335.25. (a) Notwithstanding any other provision of law,
31 the Superintendent of Public Instruction shall increase the revenue
32 limit determined pursuant to Section 52335.2 for each ROC/P by
33 an amount equal to .04 multiplied by the prior year statewide
34 average revenue limit for ROC/Ps.

35 (b) The increased funding provided pursuant to this paragraph
36 is intended to provide ROC/Ps with the resources to meet the
37 following goals and objectives:

38 (1) Reinforce academic content standards in the context of
39 career technical instruction to increase pupil performance as
40 measured by the state system of accountability.



1 (2) Increase staff development to enhance integration and
2 delivery of academic content standards within the ROC/P
3 curriculum.

4 (3) Facilitate pupil acquisition and application of the
5 knowledge and skills required for employment in emerging and
6 high demand career fields.

7 (4) Increase pupil access to higher education and high wage
8 career certification program through career preparation programs.

9 (5) Increase the number of pupils who meet industry
10 certification standards.

11 (c) The Superintendent of Public Instruction may require a
12 regional occupational center or program to submit data in a form
13 and by a time each year necessary to implement the accountability
14 system established pursuant to subdivision (d). Funding provided
15 pursuant to this section shall be deemed adequate to fully fund the
16 costs of data collection and reporting. Any regional occupational
17 center or program that receives funding increases provided
18 pursuant to this section is understood to be a participant in the
19 accountability system established by subdivision (d).

20 (d) The State Board of Education shall adopt, upon the
21 recommendation of the Superintendent of Public Instruction, no
22 later than June 1, 2002, an accountability system for regional
23 occupational centers and programs based on the goals and
24 objectives defined in subdivision (b).

25 (e) It is the intent of the Legislature that the revenue limits for
26 regional occupational centers and programs be increased by an
27 additional 4 percent above the annual inflation adjustment in
28 2002–03, contingent on the State Board of Education adopting an
29 accountability system pursuant to subdivision (d).

30 (f) It is the intent of the Legislature that the revenue limits of
31 regional occupational centers and programs be increased by an
32 additional 2 percent above the annual inflation adjustment in
33 2003–04, contingent on certification by the Superintendent of
34 Public Instruction that baseline data for regional occupational
35 centers and programs for the accountability system will be
36 released publicly in fall, 2003.

37 (g) It is the intent of the Legislature that regional occupational
38 centers and programs shall receive an appropriation that is
39 equivalent to 2 percent of the statewide revenue limit funding for
40 regional occupational centers and programs, to be allocated for



1 performance awards and support for underperforming centers and
2 programs, beginning in 2004–05, based on growth in pupil
3 performance, as measured by the accountability system and in
4 accordance with regulations approved by the State Board of
5 Education, upon recommendation of the Superintendent of Public
6 Instruction.

7 SEC. 4. (a) The sum of twelve million one hundred thousand
8 dollars (\$12,100,000) is hereby appropriated from the General
9 Fund to the Superintendent of Public Instruction, for allocation to
10 regional occupational centers and programs (ROC/Ps), according
11 to the following schedule:

12 (1) The sum of three million six hundred thousand dollars
13 (\$3,600,000) for the augmentation of Item 6110-185-0001 of the
14 2001 Budget Act, for the purpose of providing an allocation of \$30
15 per unit of average daily attendance to each ROC/P for the
16 purchase of instructional materials for use in classes offered by
17 ROC/Ps.

18 (2) The sum of three million five hundred thousand dollars
19 (\$3,500,000) for the purpose of programs to train pupils in critical
20 or emerging career fields, such as technology, the culinary arts,
21 health care and care for older Californians, construction, and
22 automotive repair; to address the needs of special populations; or
23 both. These funds shall be awarded upon application by ROC/Ps,
24 based on priorities and criteria established annually by the State
25 Board of Education.

26 (3) The sum of five million dollars (\$5,000,000) in one-time
27 funding for the purpose of establishing management information
28 services to provide the data required to evaluate the success of
29 ROC/Ps in meeting the goals and objectives described in
30 subdivision (b) of Section 52335.25 of the Education Code.

31 (b) For purposes of making the computations required by
32 Section 8 of Article XVI of the California Constitution, the
33 appropriation made by this section shall be deemed to be “General
34 Fund revenues appropriated to school districts,” as defined in
35 subdivision (c) of Section 41202 for the 2001–02 fiscal year and
36 be included within the “total allocations to school districts and
37 community college districts from General Fund proceeds of taxes



1 appropriated pursuant to Article XVII B,” as defined in
2 subdivision (e) of Section 41202 for the 2001–02 fiscal year.

O

