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AMENDED IN ASSEMBLY JUNE 29, 2006

AMENDED IN SENATE MAY 26, 2006

AMENDED IN SENATE MAY 3, 2006

AMENDED IN SENATE MARCH 27, 2006

SENATE BILL

No. 1209

Introduced by Senator Scott

(Coauthors: Senators Chesbro, Torlakson, and Vincent)

(Coauthors: Assembly Members Goldberg, Hancock, Mullin, and Pavley)

January 26, 2006

An act to amend Sections 41520, 41522, 44251, 44252, 44252.5, 44253.3, 44259, 44259.2, 44270.1, 44275.4, 44277, 44279.1, 44320.2, ~~and 45028~~ 44518.7, 45028, *and* 47634.4 of, to add Sections 44252.6, 44265.1, 44279.25, and 44387 to, to add Chapter 3.8 (commencing with Section 44740) to Part 25 of, to repeal Sections 44274, 44274.1, 44275.3, 44275.5, 44278, and 44279 of, to repeal and add Section 44274.2 of, and to repeal and add Article 6 (commencing with Section 44560) of Chapter 3 of Part 25 of, the Education Code, ~~relating to teachers, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1209, as amended, Scott. Teachers: teacher credentialing: out-of-state teachers: professional growth programs: teacher compensation.

(1) Existing law establishes the teacher credentialing block grant and; *requires the Superintendent of Public Instruction to apportion*

block grant funds to a school district offering approved programs, as specified, based on the number of eligible participants in each of those programs. Existing law, commencing with the 2006–07 fiscal year, requires the amount of funding a school district receives through the grant be adjusted for inflation and for growth, as specified.

This bill would, in addition, require the Superintendent to apportion block grant funds to a charter school offering approved programs, as specified. The bill would, instead of being adjusted for inflation and growth, require that the amount of funding a school district receives be adjusted based on changes in the number of participating credential candidates, with the amount per candidate adjusted annually for inflation.

(2) Existing law authorizes the Commission on Teacher Credentialing to issue preliminary teaching and services credentials and professional clear teaching and services credentials if the applicant for the credential meets certain minimum requirements relating to professional preparation. Existing law makes a preliminary teaching or services credential valid for 5 years, pending completion of a 5th year of study and a professional clear multiple or single subject teaching credential valid for the life of the holder, if the holder meets certain requirements relating to professional growth.

This bill would delete the requirements relating to professional growth, and, instead, would provide that a clear or professional clear teaching or services credential is valid for the life of the holder if the holder submits an application and fee for renewal to the commission every 5 years and meets certain professional fitness requirements relating to good moral character. The bill would delete certain provisions in existing law relating to teacher professional growth programs. The bill also would delete the provision permitting an emergency permit to be issued or reissued for validity periods not to exceed one year.

(3) Existing law prohibits the commission from issuing, except as specified, a credential, permit, certificate, or renewal of an emergency credential to any person to serve in the public schools unless the person has demonstrated proficiency in basic reading, writing, and mathematic skills in the English language, as specified.

This bill would delete the exemption from having to repeat the basic skills proficiency test in order to obtain a renewal of the emergency credential for an emergency credential holder who has passed that test. The bill would add an alternative method for satisfying the proficiency

requirement and would require the Superintendent of Public Instruction to perform specified duties associated with that method. The bill would add to the persons that the commission is required to exempt from the basic skills proficiency test requirement, as specified.

This bill would require the commission, by July 1, 2007, to ensure that the California Subject Examinations for Teachers (CSET): Multiple Subjects be modified to assess basic writing skills similarly to the state basic skills proficiency test and would provide that achieving the necessary passing score on the revised test be considered equivalent to passing the state basic skills proficiency test. The

The bill would require the commission, by July 1, 2009, to examine the feasibility of incorporating the assessment related to effective reading instruction that is currently included in the Reading Instruction Competence Assessment (RICA) within the teacher performance assessment and report its findings to the Legislature and the Governor. The bill would require the commission, by July 1, 2009, to ensure that the single subject CSET in English and the single subject CSET in mathematics and their related scoring protocols are modified to assess basic writing skills similarly to the state basic skills proficiency test. The bill would also require the commission, no later than July 1, 2009, to report to the Legislature on the feasibility, validity, and costs of modifying the remaining single subject CSET in single subjects to assess basic skills in certain subjects, as provided.

(4) Existing law authorizes the commission to issue a certificate that authorizes the holder to provide certain services to limited-English-proficient pupils, if the applicant for the certificate meets certain minimum requirements, including possession of certain prerequisite credentials or permits, passage of certain knowledge and skills examinations, and completion of specified coursework in a second language.

This bill would authorize a teacher who possesses a credential or permit, as required under existing law, and is able to present an out-of-state credential or certificate that authorizes the instruction of English language learners, to qualify for the specified certificate by submitting an application and fee to the commission.

(5) Existing law provides that the requirements for a preliminary multiple or single subject teaching credential include, among other things, completion of an accredited program of professional preparation, as specified. Existing law provides that the minimum

requirements for the professional clear multiple or single subject teaching credential include, among other things, preparation, in accordance with commission standards, that addresses certain education and experience.

This bill would eliminate the contingency that each teacher preparation program include a specified teaching performance assessment only if funds are available in the annual Budget Act for this purpose. The bill would make revisions to the minimum requirements for the professional clear multiple or single subject teaching credential.

(6) Existing law requires the commission to waive the requirements for completion of a program of professional preparation for any individual with a minimum of 6 years of full-time teaching experience in an accredited private school in the subject and level of the credential sought if the individual complies with certain requirements.

This bill would also require the individual to comply with satisfying the requirement for preparation in the instruction of pupils who are English language learners, as specified.

(7) Existing law establishes the requirements for credentials for teaching specialties and requires the commission to ensure that, in adopting the rules and regulations establishing the requirements for the special education specialty, teachers have sufficient knowledge and experience, as specified.

This bill would require the commission, by December 1, 2007, to report to the Legislature and the Governor on the process and requirements for obtaining a specialist credential in special education and recommend modifications to enhance and expedite these procedures.

(8) Existing law requires the commission to issue a 5-year preliminary multiple subject teaching credential, a 5-year preliminary single subject teaching credential, or a 5-year preliminary education specialist credential authorizing instruction of special education pupils to any out-of-state prepared teacher who meets certain requirements.

This bill would substantially revise the requirements for issuance of the specified credentials to out-of-state prepared teachers. The bill would delete certain requirements in existing law relating to credentialing of out-of-state teachers.

(9) Existing law establishes certain requirements regarding individual programs of professional growth for teachers. Existing law permits a holder of a clear teaching credential to appeal an adverse

action by a school principal, specified mentor teacher, or other district designee related to professional growth, as specified.

This bill would substantially revise the requirements regarding individual programs of professional growth for teachers. The bill would delete the provision relating to the appeal of an adverse action.

(10) Existing law prohibits the commission from issuing to the holder of an invalidated clear teaching credential another teaching credential of the same type and, instead, provides that the holder of the invalidated credential is eligible for reinstatement of the credential, as specified, if the holder has met certain requirements.

This bill would delete these provisions.

(11) Existing law establishes the voluntary California Beginning Teacher Support and Assessment System, also known as the Marian Bergeson Beginning Teacher Support and Assessment System, that includes providing an effective transition into the teaching career for first- and second-year teachers, and ensuring that an individual induction plan is in place for each participating teacher.

This bill would require the Superintendent and the commission to report to the Legislature and the Governor on the system by December 1, 2007, as specified. The bill would require the Superintendent and the commission to review and revise, as necessary, the Standards of Quality and Effectiveness for Professional Teacher Induction Programs of March 2002 by July 1, 2008, as provided.

(12) Existing law requires a program of professional preparation to include a teaching performance assessment, as specified, in order to meet the requirements for a preliminary multiple or single subject teaching credential. Existing law requires the commission to undertake specified duties regarding the performance assessment, subject to the availability of funds in the annual Budget Act.

This bill would change the performance assessment requirement to begin July 1, 2008, and would delete certain provisions in existing law relating to performance assessments. The bill would change the requirement that assessments conducted pursuant to specified provisions be subject to the annual Budget Act to a statement of legislative intent that the assessments conducted pursuant to specified provisions be fully funded.

(13) Existing law requires the commission to award incentive grants to qualifying school districts or county offices of education for alternative certification programs from funds appropriated for this

purpose but excludes certain participants in specified intern programs from being eligible for the funding.

This bill would authorize the commission to award funding up to a total of \$4,000 per intern per year, in addition to specified incentive grants, to any school district or county office of education that agrees to enhance internship programs and to address the distribution of teacher interns as specified from funds appropriated for this purpose.

(14) Existing law creates the Chief Business Officer Training Program within the State Department of Education and requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to administer the program. Existing law declares that funding provided pursuant to the program is intended to serve 350 eligible training candidates, as defined, per fiscal year.

This bill would authorize the state board to approve eligible training candidates to enroll in training offered pursuant to that program in excess of the number of eligible training candidates supported by state funds appropriated for those purposes, as specified.

~~(14)~~

(15) Existing law requires each school with a substantial population of pupils of diverse ethnic backgrounds to provide an in-service preparation program designed to prepare teachers and other professional school service personnel to understand and effectively relate to the history, culture, and current problems of these pupils and their environment, as specified.

This bill would delete this and the related provisions.

~~(15)~~

(16) Existing law includes various requirements for teacher and credential candidate training.

This bill would establish the Certificated Staff Mentoring Program to encourage excellent, experienced teachers to teach in staff priority schools and to assist teacher interns during their induction and first years of teaching. The bill would require the Superintendent to apportion funds appropriated for the program and would permit certain school districts to apply for reimbursement under the program for the costs of \$6,000, or another amount as specified in the Budget Act of the appropriate fiscal year, stipends to experienced teachers who meet certain criteria.

~~(16)~~

(17) Existing law establishes various programs related to teacher recruitment and training.

This bill would require the Superintendent to designate up to 6 regions of the state and place school districts within those regions. The bill would require the Superintendent to select, from among the county offices of education that apply, an office within each region that is most likely to have the capacity to serve all school districts within the region, to establish and house a personnel management assistance team to assist and serve school districts within that region, as specified. The bill would permit the Superintendent to grant funds to the selected offices from funds appropriated for those purposes and to provide further technical assistance to the offices. The bill authorizes the Superintendent to select one of the county offices with a team to serve as a clearinghouse of effective personnel management and hiring practices.

(17)

(18) Existing law requires each person employed by a school district in a position requiring certification qualifications, except as specified, to be classified on the salary schedule on the basis of uniform allowance for years of training and years of experience, except if a public school employer and the exclusive representative negotiate and mutually agree to a salary schedule based on other criteria, as specified. Existing law prohibits placing employees in different classifications on the schedule or paying different salaries solely based on the respective grade levels in which the employee serves.

This bill would permit a public school employer and the exclusive representative of credentialed teachers to jointly apply to the Superintendent for technical assistance and planning grant funding to facilitate the planning of a salary schedule for teachers based on criteria in addition to years of training and years of experience and would permit the Superintendent to make grants from funds appropriated for these purposes.

(19) *Existing law authorizes charter schools that elect to receive their funding directly to apply individually for federal and state categorical programs that are not specifically excluded by that provision. Existing law, for the 2006–07 fiscal year and each fiscal year thereafter, prohibits charter schools from applying for any of several specified categorical programs, including, among others, the teacher credentialing block grant.*

This bill would delete the teacher credentialing block grant from that list of categorical programs.

~~(18) This bill would appropriate \$2,000,000 from the General Fund, on a one-time basis, to the Superintendent to make grant awards for the development of salary schedules, as specified.~~

(20) ~~The~~ This bill would require ~~\$1,500,000~~ \$200,000 of specified federal funds to be transferred to the commission to perform certain duties specified in this bill.

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

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

1 SECTION 1. Section 41520 of the Education Code is
2 amended to read:

3 41520. (a) There is hereby established the teacher
4 credentialing block grant. Commencing with the 2005–06 fiscal
5 year, the Superintendent of Public Instruction shall apportion
6 block grant funds to a school district *or charter school* offering
7 approved programs pursuant to Section 41521 based on the
8 number of eligible participants in each of those programs.

9 (b) (1) The Legislature finds that the Superintendent of Public
10 Instruction and the Commission on Teacher Credentialing
11 established requirements for reviewing and approving teacher
12 induction programs. The Legislature further finds that 135 of 150
13 programs are jointly approved as of July 1, 2004. It is the intent
14 of the Legislature that these requirements remain in effect until
15 the ~~superintendent~~ Superintendent and ~~commission~~ the
16 Commission on Teacher Credentialing jointly agree to modify
17 them. The Superintendent ~~of Public Instruction~~ and the
18 Commission on Teacher Credentialing shall jointly review new
19 programs developed pursuant to paragraph (1) of subdivision (a)
20 based on established approval requirements.

21 (2) As provided for in Section 44259, the Commission on
22 Teacher Credentialing retains authority to issue credentials to
23 candidates who complete an induction program that meets the
24 Standards of Program Quality and Effectiveness adopted by the
25 commission. A previously approved program that is deemed as
26 no longer meeting the Standards of Program Quality and

Effectiveness shall be considered a new program for purposes of becoming an approved program pursuant to this article.

(3) A school district *or charter school* may expend funds received pursuant to this article for any purpose authorized by the programs listed in Section 41521, as the statutes governing those programs read on January 1, 2004, for the purpose of providing equivalent program services for beginning teachers. For the purpose of statewide program support and accountability, equivalent program services include regional support and technical assistance that existed under the Beginning Teacher Support and Assessment system on January 1, 2004.

(c) For purposes of this article, “school district” includes a consortia of school districts, a consortia of school districts and county offices of education, and a county office of education if county offices of education are eligible to receive funds for the programs that are listed in Section 41521.

~~SECTION 1.~~

~~SEC. 2.~~ Section 41522 of the Education Code is amended to read:

41522. (a) The amount of funding a school district *or charter school* receives pursuant to this article shall be adjusted for changes in the number of participating credential candidates in each approved program, and the amount per candidate shall be adjusted annually for inflation pursuant to Section 42238.1.

(b) For purposes of calculating the amount of funding a school district *or charter school* receives pursuant to this article, the Superintendent shall include funding for ~~a credential candidate that completes up to 10 percent of credential candidates who~~ *complete* the program early in accordance with paragraph (2) of subdivision (e) of Section 44468 for the time period that the candidate would regularly participate in the program, but not to exceed two fiscal years. *In administering this subdivision, the Superintendent shall comply with subdivision (b) of Section 44386.*

~~SEC. 2.~~

~~SEC. 3.~~ Section 44251 of the Education Code is amended to read:

44251. (a) The period for which a credential, as authorized under Section 44250 issued prior to September 1, 1985, is valid shall be as follows:

1 (1) For an internship credential: two years.

2 (2) For a preliminary credential, pending completion of the
3 fifth year of study: five years.

4 (3) For a life credential: the life of the holder.

5 (b) The period for which a credential issued on or after
6 September 1, 1985, as authorized under Section 44250 is valid,
7 shall be as follows:

8 (1) For an internship credential: two years.

9 (2) For a preliminary credential, pending completion of a
10 beginning teacher induction program approved by the
11 commission or the fifth year of study: five years.

12 (3) For a clear or professional clear teaching credential: the
13 life of the holder, if the holder submits an application and fee for
14 renewal every five years and meets all professional fitness
15 requirements under Sections 44339, 44340, and 44341.

16 (4) For a clear or professional clear services credential: the life
17 of the holder, if the holder submits an application and fee for
18 renewal every five years and meets all professional fitness
19 requirements under Sections 44339, 44340, and 44341.

20 ~~SEC. 3.~~

21 *SEC. 4.* Section 44252 of the Education Code is amended to
22 read:

23 44252. (a) The commission shall establish standards and
24 procedures for the initial issuance and renewal of credentials.

25 (b) The commission shall not issue initially any credential,
26 permit, certificate, or renewal of an emergency credential to any
27 person to serve in the public schools unless the person has
28 demonstrated proficiency in basic reading, writing, and
29 mathematics skills in the English language as provided in Section
30 44252.5 or Section 44252.7. The commission shall exempt from
31 the basic skills proficiency test requirement any of the following
32 persons:

33 (1) A person credentialed solely for the purpose of teaching
34 adults in an apprenticeship program.

35 (2) An applicant for an adult education designated subject
36 credential for other than an academic subject.

37 (3) A person credentialed in another state who is an applicant
38 for employment in a school district in this state who has passed a
39 basic skills proficiency examination administered by the state
40 where the person is credentialed or that has been developed and

1 administered by the school district offering that person
2 employment, by cooperating school districts, or by the
3 appropriate county office of education. School districts
4 administering a basic skills proficiency examination under this
5 paragraph shall comply with the requirements of subdivision (h)
6 of Section 44830.

7 (4) An applicant for a child care center permit or a permit
8 authorizing service in a development center for the handicapped,
9 so long as the holder of the permit is not required to have a
10 baccalaureate degree.

11 (5) The holder of a credential, permit, or certificate to teach,
12 other than an emergency permit, who seeks an additional
13 authorization to teach.

14 (6) An applicant for a credential to provide service in the
15 health profession.

16 (c) The Superintendent shall adopt an appropriate state test to
17 measure proficiency in these basic skills. In adopting the test, the
18 Superintendent shall seek assistance from the commission and an
19 advisory board. A majority of the members of the advisory board
20 shall be classroom teachers. The board shall also include
21 representatives of school boards, school administrators, parents,
22 and postsecondary educational institutions.

23 The Superintendent shall adopt any normed test that the
24 Superintendent determines will sufficiently test basic skills for
25 purposes of this section.

26 The Superintendent, in conjunction with the commission and
27 approved teacher training institutions, shall take steps necessary
28 to ensure the effective implementation of this section.

29 (d) By July 31, 2007, the Superintendent shall establish
30 passing scores for each of the tests specified in this subdivision,
31 the attainment of any of which may be substituted for a passing
32 score on the state basic skills proficiency test adopted pursuant to
33 subdivision (c). The Superintendent shall set basic skills passing
34 scores for each of the following tests:

35 (1) The Graduate Record Examinations (GRE) General Test.

36 (2) The Scholastic Aptitude Test (SAT) Reasoning Test.

37 (3) The ACT Plus Writing.

38 (e) This section does not require the holders of, or applicants
39 for, a designated subjects special subjects credential or vocational
40 designated subject credential to pass the state basic skills

1 proficiency test, unless the requirements for the specific
2 credential required the possession of a baccalaureate degree. The
3 governing board of each school district, or each governing board
4 of a consortium of school districts, or each governing board
5 involved in a joint powers agreement, which employs a holder of
6 a designated subjects special subjects credential or vocational
7 designated subject credential shall establish its own basic skills
8 proficiency criteria for the holders of these credentials and shall
9 arrange for those individuals to be assessed. The basic skills
10 proficiency criteria established by the governing board shall be at
11 least equivalent to the test required by the district, or in the case
12 of a consortium or a joint powers agreement, by any of the
13 participating districts, for graduation from high school. The
14 governing board or boards may charge a fee to individuals being
15 tested to cover the costs of the test, including the costs of
16 developing, administering, and grading the test.

17 (f) The commission shall compile data regarding the rate of
18 passing the state basic skills proficiency test by persons who
19 have been trained in various institutions of higher education. The
20 data shall be available to members of the public, including to
21 persons who intend to enroll in teacher education programs.

22 (g) Each applicant to an approved credential program, unless
23 exempted by subdivision (b), shall take the state basic skills
24 proficiency test in order to provide both the prospective applicant
25 and the program with information regarding the proficiency level
26 of the applicant. Test results shall be forwarded to each
27 California postsecondary educational institution to which the
28 applicant has applied. The program shall use test results to ensure
29 that upon admission, each applicant receives appropriate
30 academic assistance necessary to pass the state basic skills
31 proficiency test. Persons residing outside the state shall take the
32 test no later than the second available administration following
33 their enrollment in a credential program.

34 It is the intent of the Legislature that applicants for admission
35 to teacher preparation programs not be denied admission on the
36 basis of state basic skills proficiency test results.

37 ~~SEC. 4.~~

38 SEC. 5. Section 44252.5 of the Education Code is amended to
39 read:

1 44252.5. (a) The commission shall administer the state basic
2 skills proficiency test pursuant to Sections 44227, 44252, and
3 44830 in accordance with rules and regulations adopted by the
4 commission. A fee shall be charged to individuals being tested to
5 cover the costs of the test, including the costs of developing,
6 administering, and grading the test. The amount of the fee shall
7 be established by the commission to recover the cost of
8 examination administration and development pursuant to Section
9 44235.3.

10 (b) The commission may enter into agreements with other
11 states permitting the use of the state basic skills proficiency test
12 as a requirement for the issuance of credentials or for teacher
13 preparation program admission in those other states, provided
14 that the use would advance the interests of the State of California
15 and that the other states reimburse the Teacher Credentials Fund
16 for a proportionate share of costs of the development and
17 administration of the test.

18 (c) Any individual who passes the state basic skills proficiency
19 test, as adopted by the Superintendent, shall be considered
20 proficient in the skills of reading, writing, and mathematics, and
21 shall not be required to be retested by this test for purposes of
22 meeting the proficiency requirements of Sections 44227, 44252,
23 and 44830.

24 (d) Any individual who passes one or more components of the
25 state basic skills proficiency test in the subjects of basic reading,
26 writing, or mathematics, shall be deemed to have demonstrated
27 his or her proficiency in these subject areas and shall not be
28 required to be retested in these subjects during subsequent test
29 administrations.

30 (e) Any individual who achieves a passing score, as
31 determined by the Superintendent, on any of the tests specified in
32 subdivision (d) of Section 44252 shall be considered proficient in
33 the skills of reading, writing, and mathematics, and shall not be
34 required to pass the state basic skills proficiency test or be
35 retested for purposes of meeting the proficiency requirements of
36 Sections 44227, 44252, and 44830.

37 ~~SEC. 5.~~

38 *SEC. 6.* Section 44252.6 is added to the Education Code, to
39 read:

1 44252.6. (a) The commission, no later than July 1, 2007,
2 shall ensure that the California Subject Examinations for
3 Teachers (CSET): Multiple Subjects be modified to ~~assess~~ *add*
4 *an assessment of* basic writing skills at least as comprehensively
5 and to the level of rigor that basic writing skills are assessed by
6 the state basic skills proficiency test.

7 (b) Any individual who passes the CSET: Multiple Subjects,
8 after it has been adjusted pursuant to subdivision (a), with the
9 necessary score determined by the commission, shall be
10 considered proficient in the skills of reading, writing, and
11 mathematics, and shall not be required to pass the state basic
12 skills proficiency requirements of Sections 44227, 44252, and
13 44830.

14 (c) The commission shall ~~examine the feasibility~~ *conduct a*
15 *public study session to consider the implications of* incorporating
16 the assessment of ability, skills, and knowledge related to
17 effective reading instruction that is assessed by the Reading
18 Instruction Competence Assessment (RICA) within the teacher
19 performance assessment set forth in Section 44320.2 and *shall*
20 ~~report its findings on the outcome of that session to the~~
21 ~~Legislature and the Governor no later than July 1, 2009. 2007. At~~
22 ~~the study session, the commission shall provide an opportunity~~
23 ~~for teachers, teacher educators, reading specialists, testing~~
24 ~~specialists, representatives of teachers, administrators,~~
25 ~~governing board members, parents of pupils, and the public to~~
26 ~~comment on the implications, costs, and validity of consolidating~~
27 ~~these assessments.~~

28 (d) ~~The commission, no later than July 1, 2009, shall ensure~~
29 ~~that the single subject CSET in English and the single subject~~
30 ~~CSET in mathematics and their related scoring protocols, are~~
31 ~~modified to assess basic skills in the subjects of basic reading,~~
32 ~~writing, and mathematics, at least as comprehensively and to the~~
33 ~~level of rigor that these skills are assessed by the state basic skills~~
34 ~~proficiency test.~~

35 (e) ~~Any individual who passes the single subject CSET in~~
36 ~~English or the single subject CSET in mathematics, after the test~~
37 ~~has been modified pursuant to subdivision (d), shall be deemed~~
38 ~~proficient in the skills of reading, writing, and mathematics, and~~
39 ~~is not required to pass the state basic skills proficiency~~
40 ~~requirements of Sections 44227, 44252, and 44830.~~

~~(f)~~

(d) The commission shall convene a public study session to discuss the implications of modifying the single subject California Subject Examinations for Teachers (CSET) to assess basic skills in reading, writing, and mathematics. The commission, no later than ~~July 1, 2009~~ October 1, 2007, shall report to the Legislature on the ~~feasibility, validity, and costs~~ outcome of that session of modifying the ~~remaining single subject~~ CSET in single subjects to assess basic skills in the subjects of basic reading, writing, and mathematics, at least as comprehensively and to the level that these skills are assessed by the state basic skills proficiency test. At the study session, the commission shall provide an opportunity for teachers, teacher educators, reading specialists, testing specialists, representatives of teachers, administrators, governing board members, parents of pupils, and the public to comment on the implications, costs, and validity of modifying these assessments.

(e) The commission shall ensure that the consolidation and modification of assessments pursuant to this section does not result in an increase in the total fees paid by teacher credential candidates.

~~SEC. 6.~~

SEC. 7. Section 44253.3 of the Education Code is amended to read:

44253.3. (a) The commission shall issue a certificate that authorizes the holder to provide all of the following services to limited-English-proficient pupils:

(1) Instruction for English language development in preschool, kindergarten, grades 1 to 12, inclusive, and classes organized primarily for adults, except when the requirement specified in paragraph (1) of subdivision (b) of Section 44253.3 is satisfied by the possession of a children's center instructional permit pursuant to Sections 8363 and 44252.7, a children's center supervision permit pursuant to Section 8363, or a designated subjects teaching credential in adult education pursuant to Section 44260.2. If the requirement specified in paragraph (1) of subdivision (b) of Section 44253.3 is satisfied by the possession of a children's center instructional permit, or a children's center supervision permit, instruction for English language development is limited to the programs authorized by that permit. If the

1 requirement specified in paragraph (1) of subdivision (b) of
2 Section 44253.3 is satisfied by the possession of a designated
3 subjects teaching credential in adult education, instruction for
4 English language development is limited to classes organized
5 primarily for adults.

6 (2) Specially designed content instruction delivered in English
7 in the subjects and at the levels authorized by the teacher's
8 prerequisite credential or permit used to satisfy the requirement
9 specified in paragraph (1) of subdivision (b) of Section 44253.3.

10 (b) The minimum requirements for the certificate shall include
11 all of the following:

12 (1) Possession of a valid California teaching credential,
13 services credential, children's center instructional permit, or
14 children's center supervision permit which credential or permit
15 authorizes the holder to provide instruction to pupils in
16 preschool, kindergarten, any of grades 1 to 12, inclusive, or
17 classes primarily organized for adults, except for any of the
18 following:

19 (A) Emergency credentials or permits.

20 (B) Exchange credentials as specified in Section 44333.

21 (C) District intern credentials as specified in Section 44325.

22 (D) Sojourn certificated employee credentials as specified in
23 Section 44856.

24 (E) Teacher education internship credentials as specified in
25 Article 3 (commencing with Section 44450) of Chapter 3.

26 (2) Passage of one or more examinations that the commission
27 determines are necessary for demonstrating the knowledge and
28 skills required for effective delivery of the services authorized by
29 the certificate.

30 (3) Completion of at least six semester units, or nine quarter
31 units, of coursework in a second language at a regionally
32 accredited institution of postsecondary education. The
33 commission shall establish minimum standards for scholarship in
34 the required coursework. The commission shall also establish
35 alternative ways in which the requirement can be satisfied by
36 language-learning experience that creates an awareness of the
37 challenges of second-language acquisition and development.

38 (c) Completion of coursework in human relations in
39 accordance with the commission's standards of program quality

1 and effectiveness that includes, at a minimum, instruction in the
2 following:

- 3 (1) The nature and content of culture.
- 4 (2) Crosscultural contact and interactions.
- 5 (3) Cultural diversity in the United States and California.
- 6 (4) Providing instruction responsive to the diversity of the
7 pupil population.
- 8 (5) Recognizing and responding to behavior related to bias
9 based on race, color, religion, nationality, country of origin,
10 ancestry, gender, disability, or sexual orientation.
- 11 (6) Techniques for the peaceful resolution of conflict.

12 (d) The commission shall establish alternative requirements
13 for a teacher to earn the certificate, which shall be awarded as a
14 supplementary authorization pursuant to subdivision (e) of
15 Section 44225.

16 (e) A teacher who possesses a credential or permit described in
17 paragraph (1) of subdivision (b) and is able to present a valid
18 out-of-state credential or certificate that authorizes the instruction
19 of English language learners may qualify for the certificate
20 issued under this section by submitting an application and fee to
21 the commission.

22 (f) The certificate shall remain valid as long as the prerequisite
23 credential or permit specified in paragraph (1) of subdivision (b)
24 remains valid.

25 ~~SEC. 7.~~

26 *SEC. 8.* Section 44259 of the Education Code is amended to
27 read:

28 44259. (a) Except as provided in subparagraphs (A) and (C)
29 of paragraph (3) of subdivision (b), each program of professional
30 preparation for multiple or single subject teaching credentials
31 shall not include more than one year of, or the equivalent of
32 one-fifth of a five-year program in, professional preparation.

33 (b) The minimum requirements for the preliminary multiple or
34 single subject teaching credential are all of the following:

- 35 (1) A baccalaureate degree or higher degree from a regionally
36 accredited institution of postsecondary education. Except as
37 provided in subdivision (c) of Section 44227, the baccalaureate
38 degree shall not be in professional education. The commission
39 shall encourage accredited institutions to offer undergraduate

1 minors in education and special education to students who intend
2 to become teachers.

3 (2) Passage of the state basic skills examination that is
4 developed and administered by the commission pursuant to
5 Section 44252.5.

6 (3) Satisfactory completion of a program of professional
7 preparation that has been accredited by the committee on
8 accreditation on the basis of standards of program quality and
9 effectiveness that have been adopted by the commission. In
10 accordance with the commission's assessment and performance
11 standards, each program shall include a teaching performance
12 assessment as set forth in Section 44320.2 which is aligned with
13 the California Standards for the Teaching Profession. The
14 commission shall ensure that each candidate recommended for a
15 credential or certificate has demonstrated satisfactory ability to
16 assist pupils to meet or exceed state content and performance
17 standards for pupils adopted pursuant to subdivision (a) of
18 Section 60605. Programs that meet this requirement for
19 professional preparation shall include any of the following:

20 (A) Integrated programs of subject matter preparation and
21 professional preparation pursuant to subdivision (a) of Section
22 44259.1.

23 (B) Postbaccalaureate programs of professional preparation,
24 pursuant to subdivision (b) of Section 44259.1.

25 (C) Internship programs of professional preparation, pursuant
26 to Section 44321, Article 7.5 (commencing with Section 44325),
27 Article 11 (commencing with Section 44380), and Article 3
28 (commencing with Section 44450) of Chapter 3.

29 (4) Study of alternative methods of developing English
30 language skills, including the study of reading as described in
31 subparagraphs (A) and (B), among all pupils, including those for
32 whom English is a second language, in accordance with the
33 commission's standards of program quality and effectiveness.
34 The study of reading shall meet the following requirements:

35 (A) Commencing January 1, 1997, satisfactory completion of
36 comprehensive reading instruction that is research-based and
37 includes all of the following:

38 (i) The study of organized, systematic, explicit skills including
39 phonemic awareness, direct, systematic, explicit phonics, and
40 decoding skills.

1 (ii) A strong literature, language, and comprehension
2 component with a balance of oral and written language.

3 (iii) Ongoing diagnostic techniques that inform teaching and
4 assessment.

5 (iv) Early intervention techniques.

6 (v) Guided practice in a clinical setting.

7 (B) For the purposes of this section, “direct, systematic,
8 explicit phonics” means phonemic awareness, spelling patterns,
9 the direct instruction of sound/symbol codes and practice in
10 connected text and the relationship of direct, systematic, explicit
11 phonics to the components set forth in clauses (i) to (v),
12 inclusive.

13 A program for the multiple subjects credential also shall
14 include the study of integrated methods of teaching language
15 arts.

16 (5) Completion of a subject matter program that has been
17 approved by the commission on the basis of standards of
18 program quality and effectiveness pursuant to Article 6
19 (commencing with Section 44310) or passage of a subject matter
20 examination pursuant to Article 5 (commencing with Section
21 44280). The commission shall ensure that subject matter
22 standards and examinations are aligned with the state content and
23 performance standards for pupils adopted pursuant to subdivision
24 (a) of Section 60605.

25 (6) Demonstration of a knowledge of the principles and
26 provisions of the Constitution of the United States pursuant to
27 Section 44335.

28 (7) Commencing January 1, 2000, demonstration, in
29 accordance with the commission’s standards of program quality
30 and effectiveness, of basic competency in the use of computers in
31 the classroom as determined by one of the following:

32 (A) Successful completion of a commission-approved program
33 or course.

34 (B) Successful passage of an assessment that is developed,
35 approved, and administered by the commission.

36 (c) The minimum requirements for the professional clear
37 multiple or single subject teaching credential shall include all of
38 the following requirements:

39 (1) Possession of a valid preliminary teaching credential, as
40 prescribed in subdivision (b), possession of a valid equivalent

1 credential or certificate, or completion of equivalent
2 requirements as determined by the commission.

3 (2) Subject to the availability of funds in the annual Budget
4 Act to provide statewide access to eligible beginning teachers, as
5 defined in subdivision (d) of Section 44279.1 and except as
6 provided in paragraph (3), completion of a program of beginning
7 teacher induction, including one of the following:

8 (A) A program of beginning teacher support and assessment
9 approved by the commission and the Superintendent pursuant to
10 Section 44279.1, a provision of the Marian Bergeson Beginning
11 Teacher Support and Assessment System.

12 (B) An alternative program of beginning teacher induction that
13 is provided by one or more local educational agencies and has
14 been approved by the commission and the Superintendent on the
15 basis of initial review and periodic evaluations of the program in
16 relation to appropriate standards of credential program quality
17 and effectiveness that have been adopted by the commission, the
18 Superintendent, and the state board pursuant to this subdivision.
19 The standards for alternative programs shall encourage
20 innovation and experimentation in the continuous preparation
21 and induction of beginning teachers. Any alternative program of
22 beginning teacher induction that has met state standards pursuant
23 to this subdivision may apply for state funding pursuant to
24 Sections 44279.1 and 44279.2.

25 (C) An alternative program of beginning teacher induction that
26 is sponsored by a regionally accredited college or university, in
27 cooperation with one or more local school districts, that
28 addresses the individual professional needs of beginning teachers
29 and meets the commission's standards of induction. The
30 commission shall ensure that preparation and induction programs
31 that qualify candidates for professional credentials extend and
32 refine each beginning teacher's professional skills in relation to
33 the California Standards for the Teaching Profession and the
34 standards of pupil performance adopted pursuant to Section
35 60605.

36 (3) (A) If a candidate satisfies the requirements of subdivision
37 (b), including completion of an accredited internship program of
38 professional preparation, and if that internship program fulfills
39 induction standards and is approved as set forth in this

subdivision, the commission shall determine that the candidate has fulfilled the requirements of paragraph (2).

(B) If an approved induction program is verified as unavailable to a beginning teacher, or if the beginning teacher is required under the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) to complete subject matter coursework to be qualified for a teaching assignment, the commission shall accept completion of an approved fifth-year program after completion of a baccalaureate degree at a regionally accredited institution as fulfilling the requirements of paragraph (2). The commission shall adopt regulations to implement this subparagraph.

(4) Experience that includes the application of knowledge and skills previously acquired in a preliminary credential program, in accordance with commission standards, that addresses the following:

(A) Health education, including study of nutrition, cardiopulmonary resuscitation, and the physiological and sociological effects of abuse of alcohol, narcotics, and drugs and the use of tobacco. Training in cardiopulmonary resuscitation shall also meet the standards established by the American Heart Association or the American Red Cross.

(B) Field experience in methods of delivering appropriate educational services to pupils with exceptional needs in regular education programs.

(C) Advanced computer-based technology, including the uses of technology in educational settings.

(d) The commission shall develop and implement standards of program quality and effectiveness that provide for the areas of application listed in subparagraphs (A) to (C), inclusive, of paragraph (4) of subdivision (c), starting in professional preparation and continuing through induction.

(e) A credential that was issued prior to January 1, 1993, shall remain in force as long as it is valid under the laws and regulations that were in effect on the date it was issued. The commission may not, by regulation, invalidate an otherwise valid credential, unless it issues to the holder of the credential, in substitution, a new credential authorized by another provision in this chapter that is no more restrictive than the credential for which it was substituted with respect to the kind of service

1 authorized and the grades, classes, or types of schools in which it
2 authorizes service.

3 (f) A credential program that is approved by the commission
4 may not deny an individual access to that program solely on the
5 grounds that the individual obtained a teaching credential
6 through completion of an internship program when that
7 internship program has been accredited by the commission.

8 (g) Notwithstanding this section, persons who were
9 performing teaching services as of January 1, 1999, pursuant to
10 the language of this section that was in effect prior to that date,
11 may continue to perform those services without complying with
12 any requirements that may be added by the amendments adding
13 this subdivision.

14 (h) Subparagraphs (A) and (B) of paragraph (4) of subdivision
15 (b) do not apply to any person who, as of January 1, 1997, holds
16 a multiple or single subject teaching credential, or to any person
17 enrolled in a program of professional preparation for a multiple
18 or single subject teaching credential as of January 1, 1997, who
19 subsequently completes that program. It is the intent of the
20 Legislature that the requirements of subparagraphs (A) and (B) of
21 paragraph (4) of subdivision (b) be applied only to persons who
22 enter a program of professional preparation on or after January 1,
23 1997.

24 ~~SEC. 7.5.~~

25 *SEC. 9.* Section 44259.2 of the Education Code is amended to
26 read:

27 44259.2. (a) Notwithstanding any other provision of this
28 chapter, including, but not limited to, paragraph (3) of
29 subdivision (b) of Section 44259, the commission shall waive the
30 requirements for completion of a program of professional
31 preparation for any individual with a minimum of six years of
32 full-time teaching experience in an accredited private school, as
33 determined by the commission, in the subject and level of the
34 credential sought, who complies with all of the following:

35 (1) The individual submits evidence of two years of rigorous
36 performance evaluations while teaching in an accredited private
37 school, based on criteria determined by the commission, on
38 which the applicant received ratings of satisfactory or better.

39 (2) The individual meets the California requirements for
40 teacher fitness pursuant to Sections 44339, 44340, and 44341.

(3) The individual satisfies the requirement for preparation in the instruction of pupils who are English language learners in accordance with paragraph (4) of subdivision (b) of Section 44259 and subdivisions (a) and (c) of Section 44259.5.

(b) Notwithstanding any other provision of this chapter, including, but not limited to, paragraph (3) of subdivision (b) of Section 44259, the commission shall waive the requirements for completion of the professional field experience component of a program of professional preparation for any individual with a minimum of three years of full-time teaching experience in an accredited private school, as determined by the commission, in the subject and level of the credential sought, who complies with all of the following:

(1) The individual submits evidence of two years of rigorous performance evaluations while teaching in an accredited private school, based on criteria determined by the commission, on which the applicant received ratings of satisfactory or better.

(2) The individual meets the California requirements for teacher fitness pursuant to Sections 44339, 44340, and 44341.

~~SEC. 8:~~

SEC. 10. Section 44265.1 is added to the Education Code, to read:

44265.1. By December 1, 2007, the commission shall report to the Legislature and the Governor on the current existing process and requirements for obtaining a specialist credential in special education and recommend modifications to enhance and expedite these procedures.

~~SEC. 9:~~

SEC. 11. Section 44270.1 of the Education Code is amended to read:

44270.1. (a) The minimum requirements for the professional services credential with a specialization in administrative services are all of the following:

(1) Possession of a valid preliminary administrative services credential, as specified in Section 44270.

(2) A minimum of two years of successful experience in a full-time administrative position in a public school or private school of equivalent status, while holding the preliminary administrative services credential, as attested by the employing school district or agency, including, but not limited to, the

1 department, in the case of state school administrators, and county
2 offices of education, in the case of county school administrators.

3 (3) Completion of a commission-approved program of
4 advanced preparation. Each candidate, in consultation with
5 employing school district personnel and university personnel,
6 shall develop an individualized program of professional
7 development activities for this advanced preparation program
8 based upon individual needs. Each individualized program will
9 include university coursework and may include, nonuniversity
10 activities or advanced administrative field experiences. The
11 commission shall adopt standards and criteria for the university
12 programs of advanced preparation and nonuniversity activities.

13 (b) The commission may, at the request of a credential
14 candidate, grant a waiver, pursuant to subdivision (m) of Section
15 44225, of the requirement of university coursework upon its
16 finding that the candidate, in consultation with personnel of the
17 employing school district and personnel of the university, is not
18 able to develop an individualized program of professional
19 development for the advanced preparation program that meets
20 the individual needs of the candidates.

21 ~~SEC. 10.~~

22 ~~SEC. 12.~~ Section 44274 of the Education Code is repealed.

23 ~~SEC. 11.~~

24 ~~SEC. 13.~~ Section 44274.1 of the Education Code is repealed.

25 ~~SEC. 12.~~

26 ~~SEC. 14.~~ Section 44274.2 of the Education Code is repealed.

27 ~~SEC. 13.~~

28 ~~SEC. 15.~~ Section 44274.2 is added to the Education Code, to
29 read:

30 44274.2. (a) Notwithstanding any provision of this chapter,
31 the commission shall issue a five-year preliminary multiple
32 subject teaching credential authorizing instruction in a
33 self-contained classroom, a five-year preliminary single subject
34 teaching credential authorizing instruction in departmentalized
35 classes, or a five-year preliminary education specialist credential
36 authorizing instruction of special education pupils to any
37 out-of-state prepared teacher who meets all of the following
38 requirements:

39 (1) Possesses a baccalaureate degree from a regionally
40 accredited institution of higher education.

1 (2) Has completed a teacher preparation program at a
2 regionally accredited institution of higher education, or a
3 state-approved teacher preparation program offered by a local
4 educational agency.

5 (3) Meets the subject matter knowledge requirements for the
6 credential. If the subject area listed on the out-of-state credential
7 does not correspond to a California subject area, as specified in
8 Sections 44257 and 44282, the commission may require the
9 applicant to meet California subject matter requirements before
10 issuing a professional clear credential.

11 (4) Has earned a valid corresponding elementary, secondary,
12 or special education teaching credential based upon the
13 out-of-state teacher preparation program. For the education
14 specialist credential, the commission shall determine the area of
15 concentration based on the special education program completed
16 out of state.

17 (5) Has successfully completed a criminal background check
18 conducted under Sections 44339, 44340, and 44341 for
19 credentialing purposes.

20 (b) The commission shall issue a professional clear multiple
21 subject, single subject, or education specialist teaching credential
22 to any applicant who satisfies the requirements of subdivision
23 (a), provides verification of two or more years of teaching
24 experience, including, but not limited to, two satisfactory
25 performance evaluations, and documents, in a manner prescribed
26 by the commission, that he or she fulfills each of the following
27 requirements:

28 (1) The applicant has completed 150 clock hours of activities
29 that contribute to his or her competence, performance, and
30 effectiveness in the education profession, and that assist the
31 applicant in meeting or exceeding standards for professional
32 preparation established by the commission, or the applicant has
33 earned a master's degree or higher in a field related to the
34 credential, or the equivalent semester units, from a regionally
35 accredited institution of higher education.

36 (2) The applicant has met the state requirements for teaching
37 English language learners including, but not limited to, the
38 requirements in Section 44253.3.

39 (c) For applicants who do not meet the experience requirement
40 described in subdivision (b), the commission shall issue a

1 professional clear multiple subject, single subject, or education
2 specialist teaching credential upon verification of the following
3 requirements:

4 (1) The commission has issued to the applicant a preliminary
5 five-year teaching credential pursuant to subdivision (a).

6 (2) The applicant has completed a beginning teacher induction
7 program pursuant to paragraph (2) of subdivision (c) of Section
8 44259.

9 (3) The applicant has met the requirements for teaching
10 English language learners including, but not limited to, the
11 requirements in Section 44253.3.

12 (4) Prior to issuing an education specialist credential under
13 this subdivision, the commission shall verify completion of a
14 program for the Professional Level II credential accredited by the
15 commission.

16 ~~SEC. 14.~~

17 *SEC. 16.* Section 44275.3 of the Education Code is repealed.

18 ~~SEC. 15.~~

19 *SEC. 17.* Section 44275.4 of the Education Code is amended
20 to read:

21 44275.4. Notwithstanding any other provision of law:

22 (a) It is the intent of the Legislature that both of the following
23 occur:

24 (1) That this section provide flexibility to enable school
25 districts to recruit credentialed elementary, secondary, and
26 special education teachers prepared in countries other than the
27 United States to relocate temporarily or permanently to this state.

28 (2) That any and all teachers prepared in countries other than
29 the United States who are granted a California teaching
30 credential pursuant to this section fully meet the requirements of
31 this state.

32 (b) Coursework, programs, or degrees completed at an
33 institution of higher education outside of the United States are
34 acceptable toward certification when the Commission on Teacher
35 Credentialing or an evaluating agency approved by the
36 commission has determined that the institution's coursework,
37 programs, or degrees are equivalent to those offered by a
38 regionally accredited institution in the United States. The
39 commission reserves the right to accept or reject an approved
40 evaluating agency's determination. Notwithstanding any other

provision of this chapter, the commission shall issue a five-year preliminary multiple subject teaching credential, a five-year preliminary single subject teaching credential, or a five-year preliminary education specialist credential to a teacher prepared in a country other than the United States who meets all of the following requirements:

(1) The teacher holds or is eligible for a credential from another country that required a baccalaureate or higher degree determined to be equivalent to those offered by a regionally accredited institution in the United States and completion of a professional preparation program approved by the appropriate agency in the country where the program was completed that requires the teacher to meet requirements equivalent to the multiple or single subject teaching credential requirements in Section 44259 or the special education credential requirements described in Section 44265. The commission shall determine the area of concentration for the California education specialist credential based on the special education program completed out of country.

(2) The teacher successfully completes a criminal background check conducted pursuant to Sections 44339, 44340, and 44341 for credentialing purposes.

(c) A teacher prepared in a country other than the United States who has been issued by the commission a five-year preliminary multiple subject, single subject, or education specialist teaching credential shall pass the state basic skills proficiency test, administered by the commission pursuant to Section 44252, within one year of the issuance date of the credential in order to be eligible to continue teaching pursuant to this section.

(d) The commission shall issue a professional clear credential to a teacher prepared in a country other than the United States who has met the requirements in subdivisions (b) and (c) and who meets the following requirements:

(1) Demonstration of subject matter competence pursuant to paragraph (5) of subdivision (b) of Section 44259.

(2) Completion of a course, or for multiple subject and education specialist credentials, a course or an examination, on the various methods of teaching reading pursuant to paragraph (4) of subdivision (b) of Section 44259. Completion of

1 coursework in another state or country determined by the
2 commission to be comparable and equivalent shall meet this
3 requirement.

4 (3) Completion of a course or examination on the provisions
5 and principles of the United States Constitution pursuant to
6 paragraph (6) of subdivision (b) of Section 44259. Completion of
7 coursework in another state or country determined by the
8 commission to be comparable and equivalent shall meet this
9 requirement.

10 (4) Completion of the study of health education pursuant to
11 subparagraph (A) of paragraph (3) of subdivision (c) of Section
12 44259. Completion of coursework in another state or country
13 determined by the commission to be comparable and equivalent
14 shall meet this requirement.

15 (5) With the exception of the education specialist credential,
16 completion of study and field experience in methods of
17 delivering appropriate educational services to pupils with
18 exceptional needs in regular education programs. Completion of
19 coursework in another state or country determined by the
20 commission to be comparable and equivalent shall meet this
21 requirement.

22 (6) Completion of the study of computer-based technology
23 through demonstration by course or examination of basic
24 competence in the use of computers in the classroom, and study
25 of advanced computer-based technology including the uses of
26 technology in educational settings pursuant to paragraph (3) of
27 subdivision (c) of Section 44259. Completion of coursework in
28 another state or country determined by the commission as
29 comparable and equivalent shall meet this requirement.

30 (7) Completion of a beginning teacher induction program
31 pursuant to paragraph (2) of subdivision (c) of Section 44259.

32 (8) A teacher holding a specialist credential pursuant to this
33 section shall complete the requirements for nonspecial education
34 pedagogy and a supervised field experience program in general
35 education pursuant to Section 44265.

36 (9) A teacher holding a specialist credential pursuant to this
37 section shall complete a program for the Professional Level II
38 credential accredited by the commission.

39 ~~SEC. 16.~~

40 *SEC. 18.* Section 44275.5 of the Education Code is repealed.

~~SEC. 17.~~

SEC. 19. Section 44277 of the Education Code is amended to read:

44277. The Legislature recognizes that effective professional growth must continue to occur throughout the careers of all teachers, in order that teachers remain informed of changes in pedagogy, subject matter, and pupil needs. In enacting this section, it is the intent of the Legislature to encourage teachers to engage in an individual program of professional growth that extends their content knowledge and teaching skills and for school districts to establish professional growth programs that give individual teachers a wide range of options to pursue as well as significant roles in determining the course of their professional growth.

(a) An individual program of professional growth may consist of activities that are aligned with the California Standards for the Teaching Profession that contribute to competence, performance, or effectiveness in the profession of education and the classroom assignments of the teacher. Acceptable activities may include, among other acceptable activities, the completion of courses offered by regionally accredited colleges and universities, including instructor-led interactive courses delivered through online technologies; participation in professional conferences, workshops, teacher center programs, staff development programs, or a California Reading Professional Development Program operated pursuant to Article 2 (commencing with Section 99220) of Chapter 5 of Part 65; service as a mentor teacher; participation in school curriculum development projects; participation in systematic programs of observation and analysis of teaching; service in a leadership role in a professional organization; and participation in educational research or innovation efforts. Employing agencies and the bargaining agents of employees may negotiate to agree on the terms of programs of professional growth within their jurisdictions, provided that the agreements shall be consistent with this section.

(b) An individual program of professional growth may include a basic course in cardiopulmonary resuscitation, which includes training in the subdiaphragmatic abdominal thrust (also known as the “Heimlich maneuver”) and meets or exceeds the standards established by the American Heart Association or the American

1 Red Cross for courses in that subject or minimum standards for
2 training programs established by the Emergency Medical
3 Services Authority. An individual program of professional
4 growth may also include a course in first aid that meets or
5 exceeds the standards established by the American Red Cross for
6 courses in that subject or minimum standards for training
7 programs established by the Emergency Medical Services
8 Authority.

9 ~~SEC. 18.~~

10 ~~SEC. 20.~~ Section 44278 of the Education Code is repealed.

11 ~~SEC. 19.~~

12 ~~SEC. 21.~~ Section 44279 of the Education Code is repealed.

13 ~~SEC. 20.~~

14 ~~SEC. 22.~~ Section 44279.1 of the Education Code is amended
15 to read:

16 44279.1. (a) The Legislature finds and declares that the
17 beginning years of the career of a teacher are a critical time in
18 which it is necessary that intensive professional development and
19 assessment occur. The Legislature recognizes that the public
20 invests heavily in the preparation of prospective teachers, and
21 that more than half of all new teachers leave some California
22 school districts after one or two years in the classroom. Intensive
23 professional development and assessment are necessary to build
24 on the preparation that precedes initial certification, to transform
25 academic preparation into practical success in the classroom, to
26 retain greater numbers of capable beginning teachers, and to
27 remove novices who show little promise as teachers. It is the
28 intent of the Legislature that the commission and the
29 Superintendent develop and implement policies to govern the
30 support and assessment of beginning teachers, as a condition for
31 the professional certification of those teachers in the future.

32 (b) There is hereby established the California Beginning
33 Teacher Support and Assessment System, to be administered
34 jointly by the commission and the Superintendent. In
35 administering the system, the commission and the Superintendent
36 shall approve the most cost-effective programs of support and
37 assessment. The commission and the Superintendent shall also
38 ensure that programs meet the Standards of Quality and
39 Effectiveness for Beginning Teacher Support and Assessment
40 Programs adopted by the commission in 1997 and that local

1 programs support beginning teachers in meeting the
2 competencies described in the California Standards for the
3 Teaching Profession adopted by the commission in January 1997.

4 The system shall do all of the following:

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

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

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

12 (4) Ensure the professional success and retention of new
13 teachers.

14 (5) Ensure that a support provider provides intensive
15 individualized support and assistance to each participating
16 beginning teacher.

17 (6) Improve the rigor and consistency of individual teacher
18 performance assessments and the usefulness of assessment
19 results to teachers and decisionmakers.

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

23 (8) Examine alternative ways in which the general public and
24 the educational profession may be assured that new teachers who
25 remain in teaching have attained acceptable levels of professional
26 competence.

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

30 (10) Ensure continuous program improvement through
31 ongoing research, development, and evaluation.

32 (c) Participation in the system shall be voluntary for teachers,
33 school districts, and county offices of education and participation
34 by certificated employees shall not be made a condition of
35 employment. The commission and the Superintendent shall adopt
36 and implement criteria and standards for participation in the
37 system, including criteria regarding the eligibility of teachers and
38 standards of local program quality and intensity for schools,
39 school districts, county offices of education, colleges,
40 universities, and other educational and professional

1 organizations. The criteria and standards shall be consistent with
2 the purposes of the system.

3 (d) For purposes of this article, unless the context otherwise
4 requires, “beginning teacher” means a teacher with a valid
5 California credential, as defined in Section 44259, or an intern
6 participating in the program established pursuant to Article 11
7 (commencing with Section 44380), who is serving in the first
8 year or second year of service.

9 (e) Subject to verification and approval by an induction
10 program director, a beginning teacher shall not be required to
11 demonstrate that an induction standard has been met, or complete
12 an element of an approved induction program designed to assist a
13 candidate in mastering a given standard, if the candidate
14 previously met the induction standard while participating in a
15 commission-approved preparation program.

16 (f) For a beginning teacher who holds a professional clear
17 teaching credential that is subject to the requirements of
18 subdivisions (b) and (c) of Section 44277, participation in the
19 program may, at the discretion of the teacher, serve as part or all
20 of the individual program of professional growth.

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

32 (h) It is the intent of the Legislature that the commission and
33 the Superintendent establish a statewide teacher induction
34 program that supports locally designed, high-quality induction
35 programs that provide individualized support and formative
36 assessment for all participating beginning teachers as defined in
37 subdivision (d). At the discretion of the local beginning teacher
38 support and assessment system teacher induction program, funds
39 allocated to a program on the basis of eligible beginning teachers
40 may be used to provide support, assistance, and preparation

1 services to other credential candidates who are in their first or
2 second year of employment as a classroom teacher.

3 (i) This article shall be known, and may be cited, as the
4 Marian Bergeson Beginning Teacher Support and Assessment
5 System.

6 ~~SEC. 21.~~

7 *SEC. 23.* Section 44279.25 is added to the Education Code, to
8 read:

9 44279.25. (a) By December 1, 2007, the Superintendent and
10 the commission shall report to the Legislature and the Governor
11 on the current state of the Beginning Teacher Support and
12 Assessment System. The report shall review the articulation of
13 teacher preparation programs and teacher induction programs to
14 eliminate duplicative requirements and, at a minimum, do all of
15 the following:

16 (1) Recommend revisions to laws, regulations, or policies to
17 eliminate duplicative requirements between teacher preparation
18 and teacher induction programs, with particular attention paid to
19 eliminating duplication between induction requirements and
20 requirements for completion of state-approved alternative
21 certification programs.

22 (2) Recommend revisions to the system to ensure that teacher
23 credential candidates achieve teaching competence and programs
24 use best practices to transition candidates from teacher
25 preparation programs to induction programs.

26 (3) Recommend ways to ensure that beginning teachers
27 receive direct assistance from experienced teachers who are
28 familiar with the grade span, subject matter, and teaching and
29 classroom management techniques appropriate to the teaching
30 assignment of each beginning teacher.

31 (b) By July 1, 2008, the Superintendent and the commission
32 shall review and revise, as necessary, the Standards of Quality
33 and Effectiveness for Professional Teacher Induction Programs
34 of March 2002 to ensure that these standards address the
35 application of knowledge and skills previously acquired in a
36 preliminary credential program and to remove any requirements
37 or activities that require candidates to duplicate the acquisition of
38 knowledge through coursework. This review shall include, but
39 need not be limited to, all of the following:

1 (1) A review of formative assessment systems in use to ensure
2 that the systems are appropriately flexible and may be adapted to
3 reflect progress of individual candidates.

4 (2) A review of professional development provided to
5 induction participants to ensure that it is not duplicative of
6 coursework completed during teacher preparation.

7 (3) A review of new teacher support to ensure that the focus is
8 on application and enhancement of skills and knowledge
9 acquired in a preliminary credential program.

10 (4) Recommendations for program monitoring with respect to
11 this subdivision.

12 (c) In consultation with the Superintendent, the commission
13 shall revise the formative assessment system for beginning
14 teachers, as necessary to ensure that related tasks and activities
15 are aligned to the revised standards.

16 (d) The Superintendent and the commission shall identify
17 effective practices and techniques and provide for the
18 dissemination of these to local induction program providers.

19 ~~(e) The commission shall regularly~~ *Immediately following the*
20 *adoption of revised standards pursuant to subdivision (b), the*
21 *commission shall* review induction programs to determine
22 whether local teacher induction programs are meeting standards
23 of quality and effectiveness adopted pursuant to subdivision (b)
24 and to assure greater program quality and consistency. *The*
25 *commission shall schedule regular reviews following the initial*
26 *review of programs pursuant to this subdivision.*

27 (f) The Superintendent and the commission shall ensure that
28 teacher credential candidates are notified of the opportunity to
29 choose an early completion option pursuant to Section 44468.

30 *(g) It is the intent of the Legislature that funds appropriated in*
31 *Provision 44 of Item 6110-001-0890 of Section 2.00 of the*
32 *Budget Act of 2006 (Chapter 47 of the Statutes of 2006) be made*
33 *available for reviews and preparation of the reports required*
34 *pursuant to subdivisions (a) and (b), and that the implementation*
35 *of recommendations proceed immediately following the adoption*
36 *of those reviews and reports.*

37 ~~SEC. 22.~~

38 SEC. 24. Section 44320.2 of the Education Code is amended
39 to read:

1 44320.2. (a) The Legislature finds and declares that the
2 competence and performance of teachers are among the most
3 important factors in influencing the quality and effectiveness of
4 education in elementary and secondary schools.

5 (b) Commencing July 1, 2008, for a program of professional
6 preparation to satisfy the requirements of paragraph (3) of
7 subdivision (b) of Section 44259, the program shall include a
8 teaching performance assessment that is aligned with the
9 California Standards for the Teaching Profession and that is
10 congruent with state content and performance standards for
11 pupils adopted pursuant to subdivision (a) of Section 60605. In
12 implementing this requirement, institutions or agencies may do
13 the following:

14 (1) Voluntarily develop an assessment for approval by the
15 commission. Approval of any locally developed performance
16 assessment shall be based on assessment quality standards
17 adopted by the commission, which shall encourage the use of
18 alternative assessment methods including portfolios of teaching
19 artifacts and practices.

20 (2) Participate in an assessment training program for assessors
21 and implement the commission developed assessment.

22 (c) The commission shall implement the performance
23 assessment in a manner that does not increase the number of
24 assessments required for teacher credential candidates prepared
25 in this state. Each candidate shall be assessed during the normal
26 term or duration of the preparation program of the candidate.

27 (d) Subject to the availability of funds in the annual Budget
28 Act, the commission shall perform all of the following duties
29 with respect to the performance assessment:

30 (1) Assemble and convene an expert panel to advise the
31 commission about performance standards and developmental
32 scales for teaching credential candidates and the design, content,
33 administration, and scoring of the assessment. At least one-third
34 of the panel members shall be classroom teachers in California
35 public schools.

36 (2) Design, develop, and implement assessment standards and
37 an institutional assessor training program for the sponsors of
38 professional preparation programs to use if they choose to use the
39 commission developed assessment.

1 (3) Establish a review panel to examine each assessment
2 developed by an institution or agency in relation to the standards
3 set by the commission and advise the commission regarding
4 approval of each assessment system.

5 (4) Initially and periodically analyze the validity of assessment
6 content and the reliability of assessment scores that are
7 established pursuant to this section.

8 (5) Establish and implement appropriate standards for
9 satisfactory performance in assessments that are established
10 pursuant to this section. The commission shall ensure that oral
11 proficiency in English is a criterion for scoring the performance
12 of each candidate in each assessment.

13 (6) Analyze possible sources of bias in the performance
14 assessment and act promptly to eliminate any bias that is
15 discovered.

16 (7) Collect and analyze background information provided by
17 candidates who participate in the performance assessment, and
18 report and interpret the individual and aggregated results of the
19 assessment.

20 (8) Examine and revise, as necessary, the institutional
21 accreditation system pursuant to Article 10 (commencing with
22 Section 44370), for the purpose of providing a strong assurance
23 to teaching candidates that ongoing opportunities are available in
24 each credential preparation program that is offered pursuant to
25 Section 44320, Article 6 (commencing with Section 44310),
26 Article 7.5 (commencing with Section 44325), or Article 3
27 (commencing with Section 44450) of Chapter 3 for candidates to
28 acquire the knowledge, skills, and abilities measured by the
29 assessment system.

30 (9) Ensure that the aggregated results of the assessment for
31 groups of candidates who have completed a credential program
32 are used as one source of information about the quality and
33 effectiveness of that program.

34 (e) The commission shall ensure that each performance
35 assessment pursuant to subdivision (b) is state approved and
36 aligned with the California Standards for the Teaching Profession
37 and is consistently applied to candidates in similar preparation
38 programs. To the maximum feasible extent, each performance
39 assessment shall be ongoing and blended into the preparation
40 program, and shall produce the following benefits for credential

1 candidates, sponsors of preparation programs, and local
2 education agencies that employ program graduates:

3 (1) The performance assessment shall be designed to provide
4 formative assessment information during the preparation
5 program for use by the candidate, instructors, and supervisors for
6 the purpose of improving the teaching knowledge, skill, and
7 ability of the candidate.

8 (2) The performance assessment results shall be reported so
9 that they may serve as one basis for a recommendation by the
10 program sponsor that the commission award a teaching credential
11 to a candidate who has successfully met the performance
12 assessment standards.

13 (3) The formative assessment information pursuant to
14 paragraph (1) and the performance assessment results pursuant to
15 paragraph (2) shall be reported so that they may serve as one
16 basis for the individual induction plan of the new teacher
17 pursuant to Section 44279.2.

18 (f) It is the intent of the Legislature that assessments in
19 accordance with paragraphs (1) and (2) of subdivision (b),
20 including the administrative costs of the commission, be fully
21 funded.

22 ~~SEC. 23.~~

23 *SEC. 25.* Section 44387 is added to the Education Code, to
24 read:

25 44387. (a) From funds appropriated for purposes of this
26 section, the commission may award increased funding, in
27 addition to incentive grants awarded pursuant to Section 44386,
28 to any school district or county office of education that agrees to
29 enhance internship programs as provided in subdivision (b) and
30 to address the distribution of teacher interns as required in
31 subdivision (c).

32 (b) To qualify for increased intern program funding pursuant
33 to this section, a school district or county office of education
34 shall do all of the following:

35 (1) Provide teacher interns with the greater of (1) 120 hours of
36 intensive preservice training focused on the teaching of English
37 language learners, or (2) 40 hours of the preservice training in
38 addition to all other required training, including, but not limited
39 to, training required pursuant to Sections 44253.3, 44253.4, and
40 44253.10.

(2) Provide all teacher interns with 40 hours of classroom observation, supervision, assistance, and assessment by one or more experienced teachers who possess valid certification to teach at the same grade level and the same subject matter and who are assigned to teach at the same school as the intern who is being assisted.

(3) Maintain a ratio of no fewer than one experienced teacher to five teacher interns at the same schoolsite.

(c) To continue to receive increased intern program funding pursuant to this section, a school district annually, commencing with the receipt of funding for a second year, shall show to the commission that no high priority school, as described in Section 52055.605, will have a higher percentage of teacher interns than the districtwide average of teacher interns at a school in that year.

(d) Increased funding up to a total of ~~four thousand dollars (\$4,000)~~ *three thousand five hundred dollars (\$3,500)* per intern, per year, may be awarded by the commission to any school district or county office of education that meets the requirements of this section.

(e) Participants in an alternative certification program pursuant to this article, a district intern program conducted pursuant to Article 7.5 (commencing with Section 44325), or an intern program conducted pursuant to Article 3 (commencing with Section 44450) of Chapter 3, who have received a preliminary credential and who are generating funding for participating in an induction program pursuant to Article 4.5 (commencing with Section 44279.1) are eligible to generate enhanced funding under this section.

(f) *When reporting to the Legislature and the Governor pursuant to Section 44225.6, the commission shall include the number of school districts and county offices of education receiving increased funding, and the number of interns for whom increased funding is claimed, pursuant to this section.*

SEC. 26. *Section 44518.7 of the Education Code is amended to read:*

44518.7. (a) Funding provided pursuant to this article is intended to serve 350 eligible training candidates per fiscal year. Priority for enrollment shall be given to eligible training candidates from districts that are currently operating with a state-appointed administrator or trustee, or from districts that

1 have received a negative or qualified budget certification within
2 the past five fiscal years.

3 *(b) Notwithstanding any other provision of law, the state*
4 *board may approve eligible training candidates to enroll in*
5 *training programs offered pursuant to this article in excess of the*
6 *number of eligible training candidates supported by state funds*
7 *appropriated for purposes of this article. The participation of*
8 *eligible training candidates in all other aspects of the Chief*
9 *Business Officer Training Program who are enrolled pursuant to*
10 *the authority provided in this subdivision is subject to the*
11 *availability of funds appropriated for purposes of this article.*

12 ~~SEC. 24.~~

13 SEC. 27. Article 6 (commencing with Section 44560) of
14 Chapter 3 of Part 25 of the Education Code is repealed.

15 ~~SEC. 25.~~

16 SEC. 28. Article 6 (commencing with Section 44560) is
17 added to Chapter 3 of Part 25 of the Education Code, to read:

18
19 Article 6. Certificated Staff Mentoring Program

20
21 44560. (a) The Certificated Staff Mentoring Program is
22 hereby established for the purpose of encouraging excellent,
23 experienced teachers to teach in staff priority schools and to
24 assist teacher interns during their induction and first years of
25 teaching.

26 (b) The Superintendent shall apportion funds appropriated for
27 purposes of this program to participating school districts and
28 shall determine the amount to be allocated, based on the number
29 of experienced teachers eligible to receive stipends. The total
30 amount allocated under this article shall not exceed the total
31 amount appropriated for the purposes of this article in the annual
32 Budget Act.

33 44561. (a) Any school district that maintains classes in
34 kindergarten or any of grades 1 to 12, inclusive, may apply for
35 reimbursement under this article if it meets the conditions of
36 subdivision (b).

37 (b) To be eligible for funding under this article, a school
38 district must agree to do all of the following:

39 (1) Provide an annual salary stipend to each experienced
40 mentor teacher that agrees to teach in a staff priority school, as

1 defined in subdivision (d), and meets the criteria and performs
2 services in accordance with Section 44562.

3 (2) Assure that the experienced teacher has received training to
4 serve as a mentor or has served previously in a mentor capacity
5 in programs for new teachers, including, but not limited to,
6 induction and university or district intern programs.

7 (3) Assure that the experienced teacher will have adequate time
8 and material resources to provide assistance to beginning
9 teachers as specified in subdivision (a) of Section 44562.

10 (c) The annual allocation to a school district under this article
11 shall be a reimbursement to the district for the cost of stipends
12 actually provided to experienced mentor teachers that meet the
13 criteria and perform services in accordance with Section 44562.
14 In addition, a school district receiving reimbursement of stipend
15 costs shall be entitled to an amount equal to 5 percent of the total
16 stipend reimbursement for administrative costs.

17 (d) For purposes of this article, “staff priority school” means a
18 school that meets either of the following conditions:

19 (1) A school that has an aggregate Academic Performance
20 Index, established pursuant to Section 52052, score that was at or
21 below the 30th percentile relative to other public schools in the
22 state in any of the five previous school years.

23 (2) A juvenile court school, county community school, or
24 community day school operated by a county office of education.

25 44562. (a) To be eligible for a stipend under this article, an
26 experienced teacher must meet all of the following criteria:

27 (1) The experienced teacher must have a professional clear
28 credential that would allow the teacher to instruct at the grade
29 level and in the subject matter to which the beginning teachers or
30 interns that the experienced teacher is assisting are assigned.

31 (2) The experienced teacher must have no less than seven
32 years of recent experience instructing at one or more of the grade
33 levels and in the subject matter to which the beginning teachers
34 or interns that the experienced teacher is assisting are assigned.

35 (3) The experienced teacher must teach in a staff priority
36 school and agree to provide assistance to at least one, but not
37 more than five, intern teachers or beginning teachers, for a period
38 of at least five years.

1 (4) The experienced teacher must meet the needs of the school
2 and have demonstrated ability to foster pupil achievement and
3 learning, as determined by the school principal.

4 (b) An annual stipend for an experienced teacher who meets
5 the criteria of subdivision (a) and agrees to teach in a staff
6 priority school shall be six thousand dollars (\$6,000) per year, or
7 another amount as specified in the Budget Act for the fiscal year
8 in which the stipend is provided to the teacher.

9 ~~SEC. 26.~~

10 *SEC. 29.* Chapter 3.8 (commencing with Section 44740) is
11 added to Part 25 of the Education Code, to read:

12
13 CHAPTER 3.8. PERSONNEL MANAGEMENT ASSISTANCE TEAMS
14

15 44740. (a) The Legislature finds and declares that effective
16 school district personnel management, recruitment, and hiring
17 processes are essential to the placement of qualified teachers in
18 our public schools and particularly important to secure qualified
19 teachers for high priority schools that are often characterized as
20 hard to staff. The Legislature therefore intends to establish
21 personnel management assistance teams to provide technical
22 assistance to school districts in establishing and maintaining
23 effective personnel management, recruitment, and hiring
24 processes. It is the intent of the Legislature that personnel
25 management assistance teams not modify or contradict policy
26 that falls within the scope of any collective bargaining
27 agreement.

28 (b) (1) The Superintendent shall designate up to six regions of
29 the state so that all school districts are located within a region.

30 (2) (A) The Superintendent shall select a county office of
31 education, from among those offices that apply pursuant to
32 subparagraph (B), within each region that is most likely to have
33 the capacity to serve all school districts within the region, to
34 establish and house a personnel management assistance team to
35 assist and serve school districts within that region.

36 (B) A county office of education may apply to the
37 Superintendent to establish a personnel management assistance
38 team by showing how the county will address the personnel
39 management needs of school districts within its region.

1 (c) From funds appropriated for purposes of this section, the
2 Superintendent may grant funds to county offices that are
3 selected to provide personnel management services through
4 personnel management assistance teams and may provide further
5 technical assistance to the selected county offices.

6 (d) Each personnel management assistance team shall consist
7 of persons having extensive experience in school district
8 personnel administration, including recruitment, selection,
9 organization, and staffing.

10 (e) The superintendent of any school district, or county
11 superintendent of schools, may request that the regional
12 personnel management assistance team review the personnel
13 practices of a school district under his or her jurisdiction and
14 recommend practices or organizational functions to facilitate the
15 timely hiring and placement of qualified teachers consistent with
16 the personnel policies established by agreement with the
17 exclusive representatives of employee organizations.

18 44741. The Superintendent may select one county office of
19 education from among those county offices that have a personnel
20 management assistance team pursuant to Section 44740 to serve
21 as a clearinghouse of effective personnel management and hiring
22 practices.

23 ~~SEC. 27.~~

24 *SEC. 30.* Section 45028 of the Education Code is amended to
25 read:

26 45028. (a) (1) Effective July 1, 1970, each person employed
27 by a school district in a position requiring certification
28 qualifications, except a person employed in a position requiring
29 administrative or supervisory credentials, shall be classified on
30 the salary schedule on the basis of uniform allowance for years of
31 training and years of experience, except if a public school
32 employer and the exclusive representative negotiate and mutually
33 agree to a salary schedule based on criteria other than a uniform
34 allowance for years of training and years of experience pursuant
35 to Chapter 10.7 (commencing with Section 3540) of the
36 Government Code. Employees shall not be placed in different
37 classifications on the schedule, nor paid different salaries, solely
38 on the basis of the respective grade levels in which such
39 employees serve.

1 (2) In no case shall the governing board of a school district
2 draw orders for the salary of any teacher in violation of this
3 section, nor shall any superintendent draw any requisition for the
4 salary of any teacher in violation thereof.

5 (3) This section shall not apply to teachers of special day and
6 evening classes in elementary schools, teachers of special classes
7 for elementary pupils, teachers of special day and evening high
8 school classes and substitute teachers.

9 (b) (1) It is not a violation of the uniformity requirement of
10 this section for a school district, with the agreement of the
11 exclusive representative of certificated employees, if any, to
12 grant any employee hired after a locally specified date
13 differential credit for prior years of experience or prior units of
14 credit for purposes of initial placement on the salary schedule of
15 the district.

16 (2) This subdivision is declaratory of existing law.

17 (c) A public school employer and the exclusive representative
18 of credentialed teachers may jointly apply to the Superintendent
19 for technical assistance and planning grant funding to facilitate
20 the planning of a salary schedule for teachers based on criteria in
21 addition to years of training and years of experience, as described
22 in subdivision (a). The Superintendent may make planning grants
23 from funds appropriated for this purpose in the annual Budget
24 Act or other legislation.

25 (d) To be eligible for grant funding pursuant to subdivision
26 (c), the public school employer and the exclusive representative
27 of credentialed teachers should consider a salary schedule
28 designed to compensate teachers for the additional
29 responsibilities, time, and effort required to serve in challenging
30 school settings, and reward teachers for professional growth tied
31 to their particular assignments.

32 (e) Public school employers and exclusive representatives of
33 credentialed teachers are encouraged to recognize teacher
34 contributions to improving pupil achievement, provide incentives
35 to teachers to accept teaching assignments in areas of highest
36 need, and recognize relevant professional experience on the
37 salary schedule in lieu of units and degrees or in lieu of teaching
38 experience.

39 *SEC. 31. Section 47634.4 of the Education Code is amended*
40 *to read:*

1 47634.4. (a) A charter school that elects to receive its
2 funding directly, pursuant to Section 47651, may apply
3 individually for federal and state categorical programs, not
4 excluded in this section, but only to the extent it is eligible for
5 funding and meets the provisions of the program. For purposes of
6 determining eligibility for, and allocation of, state or federal
7 categorical aid, a charter school that applies individually shall be
8 deemed to be a school district, except as otherwise provided in
9 this chapter.

10 (b) A charter school that does not elect to receive its funding
11 directly, pursuant to Section 47651, may, in cooperation with its
12 chartering authority, apply for federal and state categorical
13 programs not specified in this section, but only to the extent it is
14 eligible for funding and meets the provisions of the program.

15 (c) Notwithstanding any other provision of law, for the
16 2006–07 fiscal year and each fiscal year thereafter, a charter
17 school may not apply directly for categorical programs for which
18 services are exclusively or almost exclusively provided by a
19 county office of education.

20 (d) Consistent with subdivision (c), a charter school may not
21 receive direct funding for any of the following
22 county-administered categorical programs:

23 (1) American Indian Education Centers.
24 (2) The California Association of Student Councils.
25 (3) California Technology Assistance Project established
26 pursuant to Article 15 (commencing with Section 51870) of
27 Chapter 5 of Part 28.

28 (4) The Center for Civic Education.

29 (5) County Office Fiscal Crisis and Management Assistance
30 Team.

31 (6) The K-12 High Speed Network.

32 (e) A charter school may apply separately for district-level or
33 school-level grants associated with any of the categorical
34 programs specified in subdivision (d).

35 (f) Notwithstanding any other provision of law, for the
36 2006–07 fiscal year and each fiscal year thereafter, in addition to
37 the programs listed in subdivision (d), a charter school may not
38 apply for any of the following categorical programs:

1 (1) Agricultural Career Technical Education Incentive
2 Program, as set forth in Article 7.5 (commencing with Section
3 52460) of Chapter 9 of Part 28.

4 (2) Bilingual Teacher Training Assistance Program, as set
5 forth in Article 4 (commencing with Section 52180) of Chapter 7
6 of Part 28.

7 (3) California Peer Assistance and Review Program for
8 Teachers, as set forth in Article 4.5 (commencing with Section
9 44500) of Chapter 3 of Part 25.

10 (4) College preparation programs, as set forth in Chapter 12
11 (commencing with Section 11020) of Part 7, Chapter 8.3
12 (commencing with Section 52240) of Part 28, and Chapter 8
13 (commencing with Section 60830) of Part 33.

14 (5) English Language Acquisition Program, as set forth in
15 Chapter 4 (commencing with Section 400) of Part 1.

16 (6) Foster youth programs pursuant to Chapter 11.3
17 (commencing with Section 42920) of Part 24.

18 (7) Gifted and talented pupil programs pursuant to Chapter 8
19 (commencing with Section 52200) of Part 28.

20 (8) Home-to-school transportation programs, as set forth in
21 Article 2 (commencing with Section 39820) of Chapter 1 of Part
22 23.5 and Article 10 (commencing with Section 41850) of
23 Chapter 5 of Part 24.

24 (9) International Baccalaureate Diploma Program, as set forth
25 in Chapter 12.5 (commencing with Section 52920) of Part 28.

26 (10) Mathematics and Reading Professional Development
27 Program, as set forth in Article 3 (commencing with Section
28 99230) of Chapter 5 of Part 65.

29 (11) Principal Training Program, as set forth in Article 4.6
30 (commencing with Section 44510) of Chapter 3 of Part 25.

31 (12) Professional Development Block Grant, as set forth in
32 Article 5 (commencing with Section 41530) of Chapter 3.2 of
33 Part 24.

34 (13) Program to Reduce Class Size in Two Courses in Grade 9
35 (formerly The Morgan-Hart Class Size Reduction Act of 1989),
36 as set forth in Chapter 6.8 (commencing with Section 52080) of
37 Part 28.

38 (14) Pupil Retention Block Grant, as set forth in Article 2
39 (commencing with Section 41505) of Chapter 3.2 of Part 24.

1 (15) Reader services for blind teachers, as set forth in Article
2 8.5 (commencing with Section 45370) of Chapter 5 of Part 25.
3 (16) School and Library Improvement Block Grant, as set
4 forth in Article 7 (commencing with Section 41570) of Chapter
5 3.2 of Part 24.
6 (17) School Safety Consolidated Competitive Grant, as set
7 forth in Article 3 (commencing with Section 41510) of Chapter
8 3.2 of Part 24.
9 (18) School safety programs, as set forth in Article 3.6
10 (commencing with Section 32228) and Article 3.8 (commencing
11 with Section 32239.5) of Chapter 2 of Part 19.
12 (19) Specialized secondary schools pursuant to Chapter 6
13 (commencing with Section 58800) of Part 31.
14 (20) State Instructional Materials Fund, as set forth in Article
15 3 (commencing with Section 60240) of Chapter 2 of Part 33.
16 (21) Targeted Instructional Improvement Grant, as set forth in
17 Chapter 2.5 (commencing with Section 54200) of Part 29.
18 ~~(22) Teacher Credentialing Block Grant, as set forth in Article~~
19 ~~4 (commencing with Section 41520) of Chapter 3.2 of Part 24.~~
20 ~~(23) Teacher dismissal apportionment, as set forth in Section~~
21 ~~44944.~~
22 (23) The deferred maintenance program, as set forth in Article
23 1 (commencing with Section 17565) of Chapter 5 of Part 10.5.
24 ~~(25)~~
25 (24) The General Fund contribution to the State Instructional
26 Materials Fund pursuant to Article 3 (commencing with Section
27 60240) of Chapter 2 of Part 33.
28 ~~(26)~~
29 (25) Year-Round School Grant Program, as set forth in Article
30 3 (commencing with Section 42260) of Chapter 7 of Part 24.
31 *SEC. 32. The sum of two hundred thousand dollars*
32 *(\$200,000) of federal funds available to the State Department of*
33 *Education under Title II of the federal Elementary and*
34 *Secondary Education Act shall be transferred to the Commission*
35 *on Teacher Credentialing to perform its duties related to the*
36 *teaching performance assessment required by Section 44320.2 of*
37 *the Education Code and the modification of the California*
38 *Subject Examination for Teachers: Multiple Subjects required by*
39 *Section 44252.6.*

1 ~~SEC. 28. (a) The sum of two million dollars (\$2,000,000) is~~
2 ~~hereby appropriated from the General Fund, on a one-time basis,~~
3 ~~to the Superintendent of Public Instruction to make grant awards~~
4 ~~for the development of salary schedules pursuant to subdivision~~
5 ~~(c) of Section 45028 of the Education Code.~~

6 ~~(b) The sum of one million five hundred thousand dollars~~
7 ~~(\$1,500,000) of federal funds available to the State Department~~
8 ~~of Education under Title II of the federal Elementary and~~
9 ~~Secondary Education Act shall be transferred to the Commission~~
10 ~~on Teacher Credentialing to perform its duties pursuant to~~
11 ~~Sections 44252, 44252.5, 44252.6, and 44279.25 of the~~
12 ~~Education Code.~~

O