

**Senate Bill No. 1110**

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Passed the Senate April 21, 2008

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*Secretary of the Senate*

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Passed the Assembly August 12, 2008

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2008, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add Sections 44423.5 and 44423.6 to the Education Code, relating to teacher credentialing.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1110, Scott. Teacher credentialing: revocation of credential.

Existing law authorizes the Commission on Teacher Credentialing to privately admonish or publicly reprove or to revoke or suspend the credentials of a holder for, among other things, immoral or unprofessional conduct, any cause that would have warranted the denial of an application for or renewal of a credential, or evident unfitness for service. The commission is required to revoke the credential of a holder who is convicted of specified violent or serious felonies or a sex offense, as defined, is found to be insane before a federal court or a court in this or another state, or is determined to be a sexual psychopath under specified laws.

This bill would require the commission to suspend the credential of a holder when it receives notice that another state has taken final action to revoke a credential or license authorizing the holder of the credential to perform any duty in the public schools of another state. The suspension would not take effect until the commission verifies that the underlying acts of misconduct in the other state could result in a revocation of a credential in this state. The suspension would remain in effect until the commission takes final action on a recommendation of the Committee of Credentials following the committee's review of the matter.

The commission also would be required to revoke the credential of a holder when it receives notice that the ability of the holder to associate with minors has been limited as a term or condition of probation or sentencing resulting from a criminal conviction in this state, another state, or the United States, or the holder has been ordered to surrender a credential or certification document as a term or condition of probation or sentencing resulting from a criminal conviction in this state, another state, or the United States, except as specified. The person whose credential is so revoked would be prohibited from applying for reinstatement of the

credential until the terms or conditions imposed by the conviction are lifted.

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

SECTION 1. Section 44423.5 is added to the Education Code, to read:

44423.5. (a) The commission shall suspend the credential of a holder when it receives notice that another state has taken final action to revoke a credential or license authorizing the holder of the credential to perform any duty in the public schools of another state. The suspension shall not take effect until the commission verifies by reviewing documents as set forth in paragraph (4) of subdivision (d) of Section 44242.5 that the underlying acts of misconduct in the other state could result in a revocation of a credential in this state. The suspension shall remain in effect until the commission takes final action on a recommendation of the Committee of Credentials following a review in accordance with Sections 44242.5, 44242.7, 44244, 44244.1, and 44245.

(b) Nothing in this section is intended to require the commission to revoke the credential of an individual whose credential has been suspended pursuant to subdivision (a). The commission shall exercise its independent judgment in making a decision in each case.

SEC. 2. Section 44423.6 is added to the Education Code, to read:

44423.6. (a) (1) The commission shall revoke the credential of a holder when it receives notice that the ability of the holder of the credential to associate with minors has been limited as a term or condition of probation or sentencing resulting from a criminal conviction in this state, another state, or the United States. The limitation shall include, but is not limited to, a prohibition of associating or contact with minors, or a prohibition of associating with minors unless under supervision or in the presence of another adult.

(2) Paragraph (1) shall not apply to a conviction based solely on violating an order as set forth in subdivision (a) of Section 273.6 of the Penal Code.

(b) The commission shall revoke the credential of a holder upon receipt of notice that the holder of the credential has been ordered

to surrender a credential or certification document as a term or condition of probation or sentencing resulting from a criminal conviction in this state, another state, or the United States. The limitation shall include, but not be limited to, an order to surrender or self revoke a credential authorizing service in a public school.

(c) A person whose credential is revoked pursuant to this section shall not apply to the commission for reinstatement of the credential pursuant to Section 11522 of the Government Code until the terms or conditions imposed by the conviction, as described in subdivision (a) or (b) of this section, are lifted.







Approved \_\_\_\_\_, 2008

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*Governor*