

AMENDED IN SENATE JUNE 18, 2012

AMENDED IN SENATE AUGUST 30, 2011

AMENDED IN ASSEMBLY APRIL 27, 2011

AMENDED IN ASSEMBLY MARCH 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 286

Introduced by Assembly Member Bill Berryhill

February 8, 2011

An act to ~~add Section 14528 to the Government~~ *amend Section 45028 of the Education Code*, relating to ~~streets and highways~~ *teachers*.

LEGISLATIVE COUNSEL'S DIGEST

AB 286, as amended, Bill Berryhill. ~~State highways: Routes 108 and 120. Teachers: compensation: career technical education teachers.~~

Existing law requires each person employed by a school district in a position requiring certification qualifications, except a person employed in a position requiring administrative or supervisory credentials, to be classified on the salary schedule on the basis of uniform allowance for years of training and years of experience, except as specified.

This bill would, for a teacher who holds a 5-year clear designated subjects career technical education teaching credential, require that the 3 years of work experience, as specified, be deemed to be the equivalent of a baccalaureate degree, and would require that the holder of a 5-year clear designated subjects career technical education teaching credential be placed on and advance along the salary schedule of the school district in the same manner as a teacher with a baccalaureate degree.

~~Existing law provides that the Department of Transportation has full possession and control of the state highway system and associated property. Existing law generally provides for the department to dispose of property acquired by the state for highway purposes if the property is no longer needed for those purposes upon terms, standards, and conditions established by the California Transportation Commission. However, existing law, with respect to excess properties acquired for specified highway routes, requires the commission to allocate net proceeds from the sale of those properties to alternative transportation projects.~~

~~This bill would, on and after July 1, 2013, require the proceeds from the sale of excess properties acquired by the department for improvements to State Highway Route 120, less any reimbursements due to the federal government and all costs incurred in the sale of those excess properties, to be used for improvements to State Highway Route 108 in Stanislaus County, the North County Corridor. The bill would require the department to deposit the sale proceeds in a special account in the Special Deposit Fund and would require that interest earnings from funds in that special account accrue to the account. The bill would require the commission to program the funds in the special account to any phase of the North County Corridor and, upon appropriation by the Legislature, would authorize the commission to allocate the funds to the Stanislaus Council of Governments or any agency designated by that entity to deliver the North County Corridor.~~

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

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

1 *SECTION 1. Section 45028 of the Education Code is amended*
 2 *to read:*
 3 45028. (a) (1) Effective July 1, 1970, ~~each~~ *a* person employed
 4 by a school district in a position requiring certification
 5 qualifications, except a person employed in a position requiring
 6 administrative or supervisory credentials, shall be classified on
 7 the salary schedule on the basis of uniform allowance for years of
 8 training and years of experience, except if a public school employer
 9 and the exclusive representative negotiate and mutually agree to
 10 a salary schedule based on criteria other than a uniform allowance
 11 for years of training and years of experience pursuant to Chapter

1 10.7 (commencing with Section 3540) of *Division 4 of Title 1* of
2 the Government Code. Employees shall not be placed in different
3 classifications on the schedule, nor paid different salaries, solely
4 on the basis of the respective grade levels in which such employees
5 serve.

6 (2) In no case shall the governing board of a school district draw
7 orders for the salary of ~~any~~ a teacher in violation of this section,
8 nor shall ~~any~~ a superintendent of schools draw ~~any~~ a requisition
9 for the salary of ~~any~~ a teacher in violation ~~thereof~~ of this section.

10 (3) This section shall not apply to teachers of special day and
11 evening classes in elementary schools, teachers of special classes
12 for elementary pupils, teachers of special day and evening high
13 school classes ~~and, or~~ substitute teachers.

14 (4) For a teacher who holds a five-year clear designated subjects
15 career technical education teaching credential pursuant to Section
16 44260.1, the three years of work experience related to the industry
17 sector named on the credential pursuant to subdivision (a) of
18 Section 44260 shall be deemed to be the equivalent of a
19 baccalaureate degree, and the holder of a five-year clear
20 designated subjects career technical education teaching credential
21 shall be placed on and advance along the salary schedule of the
22 school district in the same manner as a teacher with a
23 baccalaureate degree.

24 (b) (1) It is not a violation of the uniformity requirement of this
25 section for a school district, with the agreement of the exclusive
26 representative of certificated employees, if any, to grant ~~any~~ an
27 employee hired after a locally specified date differential credit for
28 prior years of experience or prior units of credit for purposes of
29 initial placement on the salary schedule of the *school* district.

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

31 (c) A public school employer and the exclusive representative
32 of credentialed teachers may ~~jointly~~ apply *jointly* to the
33 Superintendent for technical assistance and planning grant funding
34 to facilitate the planning of a salary schedule for teachers based
35 on criteria in addition to years of training and years of experience,
36 as described in subdivision (a). The Superintendent may make
37 planning grants from funds appropriated for this purpose in the
38 annual Budget Act or other legislation.

39 (d) To be eligible for grant funding pursuant to subdivision (c),
40 the public school employer and the exclusive representative of

1 credentialed teachers should consider a salary schedule designed
2 to compensate teachers for the additional responsibilities, time,
3 and effort required to serve in challenging school settings; and
4 reward teachers for professional growth tied to their particular
5 assignments.

6 (e) Public school employers and exclusive representatives of
7 credentialed teachers are encouraged to recognize teacher
8 contributions to improving pupil achievement, provide incentives
9 to teachers to accept teaching assignments in areas of highest need,
10 and recognize relevant professional experience on the salary
11 schedule in lieu of units and degrees or in lieu of teaching
12 experience.

13 SECTION 1. Section 14528 is added to the Government Code,
14 to read:

15 ~~14528. On and after July 1, 2013, the proceeds from the sale~~
16 ~~of excess properties acquired by the department for improvements~~
17 ~~to State Highway Route 120, less any reimbursements due to the~~
18 ~~federal government and all costs incurred in the sale of those excess~~
19 ~~properties, shall be used for improvements to State Highway Route~~
20 ~~108 in Stanislaus County, the North County Corridor. The~~
21 ~~department shall deposit the sale proceeds in a special account,~~
22 ~~which is hereby created, in the Special Deposit Fund pursuant to~~
23 ~~Article 2 (commencing with Section 16370) of Chapter 2 of Part~~
24 ~~2 of Division 4. Interest earnings from funds in that special account~~
25 ~~shall accrue to the account. The commission shall program the~~
26 ~~funds in the special account to any phase of the North County~~
27 ~~Corridor. Upon appropriation by the Legislature, the commission~~
28 ~~may allocate the funds to the Stanislaus Council of Governments~~
29 ~~(StanCOG) or any agency designated by StanCOG to deliver the~~
30 ~~North County Corridor. Notwithstanding Section 16370, the funds~~
31 ~~in the special account are not continuously appropriated.~~