

AMENDED IN SENATE APRIL 9, 2012

SENATE BILL

No. 1291

Introduced by Senator Evans

February 23, 2012

An act to amend Section 1269 of, and to repeal Section 1274.10 of, the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1291, as amended, Evans. Unemployment benefits: training: ~~teachers~~ *teacher* credentialing.

Under the California Training Benefits Program, *until January 1, 2015*, an unemployed individual, who is otherwise eligible for unemployment benefits, *and* who files a claim for unemployment compensation benefits, extended duration benefits, or federal-state extended benefits or any federally funded unemployment compensation benefits, may apply to the Employment Development Department for a determination of potential eligibility for benefits during a period of training or retraining. Existing law requires a determination of automatic eligibility for those benefits if any of specified conditions apply. Existing law requires, if training or retraining is not authorized under those provisions governing automatic eligibility for those benefits, *that* a determination of potential eligibility for benefits be issued to the unemployed individual if the Director of Employment Development finds that specified criteria apply.

Under existing law, the Commission on Teacher Credentialing is authorized to issue teaching credentials in single subject instruction or specialist instruction in, among other subjects, math, science, and special education. Existing law also requires the commission to adopt general

standards for the accreditation or approval of preparation programs for teachers.

This bill would ~~state the Legislature’s intent to enact legislation that would delete the January 1, 2015, sunset date, of the California Training Benefits Program thereby extending its operation indefinitely. The bill would also~~ require a determination of automatic eligibility for benefits under the California Training Benefits Program to be issued to an unemployed teacher, *as defined*, who is otherwise eligible for unemployment benefits, if the Director of Employment Development finds that the unemployed teacher ~~is~~ *is* enrolled in a credential preparation program or training program approved or accredited by the Commission on Teacher Credentialing for additional certification in math, science, or special education, *for kindergarten and grades 1 to 12, inclusive, and his or her services were terminated, as specified.*

Because the bill would extend the operation of the California Training Benefits Program and make various changes to existing eligibility requirements for training and retraining benefits, which would result in additional amounts being payable from the Unemployment Fund for those benefits, the bill would make an appropriation.

This bill would make its provisions operative on January 1, 2014.

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

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

- 1 SECTION 1. Section 1269 of the Unemployment Insurance
- 2 Code is amended to read:
- 3 1269. A determination of automatic eligibility for benefits
- 4 under this article shall be issued to an unemployed individual if
- 5 the director finds that any of the following applies:
- 6 (a) The training is authorized by the federal Workforce
- 7 Investment Act of 1998 (P.L. 105-220) or by the Employment
- 8 Training Panel established pursuant to Chapter 3.5 (commencing
- 9 with Section 10200) of Part 1 of Division 3.
- 10 (b) The training is authorized by the federal Trade Act of 1974
- 11 (19 U.S.C. Sec. 2101 et seq.), as amended by the federal Trade
- 12 Act of 2002 (P.L. 107-210), and as those acts may be amended by
- 13 the *federal* Trade and Globalization Adjustment Assistance Act
- 14 of 2009, enacted under the *federal* American Recovery and

1 Reinvestment Act of 2009 (P.L. 111-5), pursuant to a certified
2 petition.

3 (c) The individual is a participant in the California Work
4 Opportunity and Responsibility to Kids (CalWORKs) program
5 pursuant to Article 3.2 (commencing with Section 11320) ~~or Article~~
6 ~~3.3 (commencing with Section 11330)~~ of Chapter 2 of Part 3 of
7 Division 9 of the Welfare and Institutions Code, and has entered
8 into a contract with the county welfare department to participate
9 in an education or training program.

10 (d) The individual is a participant in training with a provider
11 that is certified and on the state's Eligible Training Provider List
12 (ETPL), as authorized by the federal Workforce Investment Act
13 *of 1998* (P.L. 105-220), *or is enrolled in a credential preparation*
14 *program or training program approved or accredited by the*
15 *Commission on Teacher Credentialing for additional certification*
16 *in math, science, or special education, for kindergarten and grades*
17 *1 to 12, inclusive, and his or her services were terminated pursuant*
18 *to Section 44955 of the Education Code.*

19 (e) The individual is a journey level union member and the
20 training or retraining course of instruction is industry-related
21 training necessary due to changes in technology, or industry
22 demands, or is necessary to retain employment or to become more
23 competitive in obtaining employment.

24 *SEC. 2. Section 1274.10 of the Unemployment Insurance Code*
25 *is repealed.*

26 ~~1274.10. This article shall remain in effect only until January~~
27 ~~1, 2015, and as of that date is repealed, unless a later enacted~~
28 ~~statute, which is chaptered before that date, deletes or extends the~~
29 ~~date.~~

30 *SEC. 3. This act shall become operative on January 1, 2014.*

31 ~~SECTION 1. It is the intent of the Legislature to enact~~
32 ~~legislation that would require a determination of automatic~~
33 ~~eligibility for benefits under the California Training Benefits~~
34 ~~Program to be issued to an unemployed teacher, who is otherwise~~
35 ~~eligible for unemployment benefits, if the Director of Employment~~
36 ~~Development finds that the unemployed teacher is enrolled in a~~
37 ~~credential preparation program or training program approved or~~
38 ~~accredited by the Commission on Teacher Credentialing for~~
39 ~~additional certification in math, science, or special education.~~

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- 2 **CORRECTIONS:**
- 3 **Text—Page 3.**
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