

ASSEMBLY BILL

No. 580

Introduced by Assembly Member O'Donnell

February 24, 2015

An act to repeal Sections 44504, 44505, 44506, and 44507 of the Education Code, relating to teachers.

LEGISLATIVE COUNSEL'S DIGEST

AB 580, as introduced, O'Donnell. Teachers: California Peer Assistance and Review Program for Teachers.

Existing law establishes the California Peer Assistance and Review Program for Teachers, which is a program established to assist teachers by setting forth performance goals, providing multiple observations of the teacher during periods of classroom instruction, and encouraging a cooperative relationship between the consulting teacher and the principal with respect to a process of peer assistance and review. Existing law provides for the implementation of the program by school districts that elect to participate in the program, and establishes a system for apportioning state funds to participating school districts. Existing law requires a school district that does not participate in the program to report the rationale for not participating annually at a regularly scheduled meeting of the governing board of the school district.

This bill would repeal specified provisions relating to the implementation and funding of this program and would delete an obsolete provision relating to the preparation of a comprehensive evaluation of the program.

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

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

- 1 SECTION 1. Section 44504 of the Education Code is repealed.
2 44504. (a) Except as provided in Section 44505, the California
3 Peer Assistance and Review Program for Teachers shall become
4 fully operational on July 1, 2001, on which date it shall completely
5 replace the California Mentor Teacher Program established
6 pursuant to Chapter 1302 of the Statutes of 1983 and set forth in
7 Article 4 (commencing with Section 44490). This article is
8 applicable to all school districts that elect to receive state funds
9 for the California Peer Assistance and Review Program for
10 Teachers. Commencing with the 2001-02 fiscal year, funding shall
11 only be made available for purposes authorized by this article. A
12 school district that elects to participate in the program established
13 pursuant to this article shall certify to the Superintendent of Public
14 Instruction by August 1, 2001, that it has implemented a Peer
15 Assistance and Review Program for Teachers pursuant to this
16 article.
17 (b) A school district that does not elect to participate in the
18 program authorized under this article by July 1, 2001, is not eligible
19 for any apportionment, allocation, or other funding from an
20 appropriation for the program authorized pursuant to this article
21 or for any apportionments, allocations, or other funding from
22 funding for local assistance appropriated pursuant to Budget Act
23 Item 6110-231-0001, funding appropriated for the Administrator
24 Training and Evaluation Program set forth in Article 3
25 (commencing with Section 44681) of Chapter 3.1 of Part 25, from
26 an appropriation for the Instructional Time and Staff Development
27 Reform Program as set forth in Article 7.5 (commencing with
28 Section 44579) of Chapter 3, or from an appropriation for school
29 development plans as set forth in Article 1 (commencing with
30 Section 44670.1) of Chapter 3.1 and the Superintendent of Public
31 Instruction shall not apportion, allocate, or otherwise provide any
32 funds to the district pursuant to those programs.
33 (c) Commencing February 1, 2002, a school district that elects
34 not to participate in the program authorized under this article shall
35 report annually at a regularly scheduled meeting of the governing
36 board of the school district on the rationale for not participating
37 in the program.
38 SEC. 2. Section 44505 of the Education Code is repealed.

1 44505. (a) ~~Between July 1, 1999, and June 30, 2000, a school~~
2 ~~district may notify the Superintendent of Public Instruction that it~~
3 ~~plans to implement, commencing July 1, 2000, a Peer Assistance~~
4 ~~and Review Program for Teachers pursuant to this article. Upon~~
5 ~~receipt of the notification by the school district, the Superintendent~~
6 ~~of Public Instruction shall apportion to the school district two~~
7 ~~thousand eight hundred dollars (\$2,800) or an amount equal to the~~
8 ~~number of mentor teachers that the state calculated the school~~
9 ~~district is entitled to in the 1999–2000 fiscal year pursuant to~~
10 ~~Article 4 (commencing with Section 44490) multiplied by two~~
11 ~~thousand eight hundred dollars (\$2,800), whichever is greater.~~

12 (b) ~~A school district that notifies the Superintendent of Public~~
13 ~~Instruction that it plans to implement a Peer Assistance and Review~~
14 ~~Program for Teachers by July 1, 2000, pursuant to subdivision (a),~~
15 ~~shall certify to the Superintendent of Public Instruction that it has~~
16 ~~implemented a program by August 1, 2000. In addition to the~~
17 ~~certification, the Superintendent of Public Instruction may request~~
18 ~~a copy of the signature page of the collective bargaining agreement~~
19 ~~implementing the program required pursuant to subdivision (a) of~~
20 ~~Section 44503. A school district that fails to provide the required~~
21 ~~certification is not eligible to receive an apportionment for the Peer~~
22 ~~Assistance and Review Program for Teachers pursuant to~~
23 ~~subdivision (a) of this section or subdivision (a) of Section 44498~~
24 ~~in the 2000–01 school year, or in any year thereafter. The school~~
25 ~~district, however, may be eligible to receive an apportionment for~~
26 ~~the Peer Assistance and Review Program for Teachers pursuant~~
27 ~~to subdivision (c) of this section and subdivision (a) of Section~~
28 ~~44498 in the 2000–01 school year, and in each year thereafter, if~~
29 ~~the school district complies with the requirements set forth in~~
30 ~~subdivisions (c) and (d).~~

31 (c) ~~Between July 1, 2000, and May 31, 2001, a school district~~
32 ~~may notify the Superintendent of Public Instruction that it plans~~
33 ~~to implement, commencing July 1, 2001, a Peer Assistance and~~
34 ~~Review Program for Teachers pursuant to this article. On or before~~
35 ~~June 29, 2001, the Superintendent of Public Instruction shall~~
36 ~~apportion to every school district that provides this notification an~~
37 ~~amount equal to the number of mentor teachers that the state~~
38 ~~calculated the school district is entitled to in the 1999–2000 school~~
39 ~~year pursuant to Article 4 (commencing with Section 44490) times~~
40 ~~a maximum of one thousand dollars (\$1,000). Any school district~~

1 that provides this notification shall receive at least the amount that
2 would be received pursuant to this section by a school district with
3 one state-funded mentor in the 2000–01 school year pursuant to
4 Article 4 (commencing with Section 44490):

5 (d) A school district that notifies the Superintendent of Public
6 Instruction that it plans to implement a Peer Assistance and Review
7 Program for Teachers by July 1, 2001, pursuant to subdivision (c),
8 shall certify to the Superintendent of Public Instruction that it has
9 implemented a program by July 1, 2001. In addition to the
10 certification, the Superintendent of Public Instruction may request
11 a copy of the signature page of the collective bargaining agreement
12 implementing the program required pursuant to subdivision (a) of
13 Section 44503. A school district that fails to provide the required
14 certification is not eligible for any apportionment for the Peer
15 Assistance and Review Program for Teachers received pursuant
16 to subdivision (e) of this section, and subdivision (a) of Section
17 44498 in the 2001–02 school year, or in any year thereafter.

18 (e) The funding provided pursuant to subdivisions (a) and (c)
19 of this section and subdivision (a) of Section 44498 shall be
20 provided to eligible school districts in each year that the school
21 operates a Peer Assistance and Review Program for Teachers.

22 (f) The maximum amount of funds available for apportionment
23 to school districts by the Superintendent of Public Instruction for
24 allocation pursuant to subdivision (e) shall be the amount
25 appropriated pursuant to subdivision (a) of Section 6 of the act
26 adding this section, minus any funds apportioned by the
27 Superintendent of Public Instruction to school districts pursuant
28 to subdivision (a) as of June 30, 2000.

29 (g) A school district may use funds apportioned pursuant to this
30 section for activities necessary to implement the Peer Assistance
31 and Review Program for Teachers.

32 SEC. 3. Section 44506 of the Education Code is repealed.

33 44506. (a) The state funding for this article subsequent to the
34 1999–2000 fiscal year is subject to an appropriation in the annual
35 Budget Act.

36 (b) A school district that receives funds for purposes of this
37 article also may expend those funds for any of the following
38 purposes:

1 ~~(1) The Marian Bergeson Beginning Teacher Support and~~
2 ~~Assessment System as set forth in Article 4.5 (commencing with~~
3 ~~Section 44279.1) of Chapter 2.~~

4 ~~(2) A district intern program as set forth in Article 7.5~~
5 ~~(commencing with Section 44325) of Chapter 2.~~

6 ~~(3) Professional development or other educational activities~~
7 ~~previously provided pursuant to Article 4 (commencing with~~
8 ~~Section 44490) of Chapter 3, as it read prior to January 1, 2002.~~

9 ~~(4) A program that supports the training and development of~~
10 ~~new teachers.~~

11 ~~(e) (1) The Superintendent shall determine a base funding unit~~
12 ~~rate for the California Peer Assistance and Review Program for~~
13 ~~Teachers that is equal to the total amount provided for the~~
14 ~~California Mentor Teacher Program in subdivision (b) of Section~~
15 ~~6 of Chapter 4 of the Statutes of 1999 for the First Extraordinary~~
16 ~~Session, divided by the total number of mentor teachers that the~~
17 ~~state calculated the school district is entitled to in the 1999-2000~~
18 ~~fiscal year.~~

19 ~~(2) The Superintendent annually shall apportion to each school~~
20 ~~district that certified implementation of the Peer Assistance and~~
21 ~~Review Program for Teachers pursuant to subdivision (b) of~~
22 ~~Section 44505, an amount equal to 5 percent of the prior year count~~
23 ~~of certificated classroom teachers employed by the school district,~~
24 ~~multiplied by a rate that equals the sum of (i) the base amount per~~
25 ~~funding unit as calculated in paragraph (1) of subdivision (c),~~
26 ~~adjusted annually pursuant to subdivision (b) of Section 42238.1,~~
27 ~~and (ii) two thousand eight hundred dollars (\$2,800); adjusted~~
28 ~~annually pursuant to subdivision (b) of Section 42238.1.~~

29 ~~(3) The Superintendent annually shall apportion to each school~~
30 ~~district that certified implementation of a Peer Assistance and~~
31 ~~Review Program for Teachers pursuant to subdivision (d) of~~
32 ~~Section 44505, an amount equal to 5 percent of the prior year count~~
33 ~~of certificated classroom teachers employed by the school district,~~
34 ~~multiplied by a rate which equals the sum of (i) the base amount~~
35 ~~per funding unit as calculated in paragraph (1) of subdivision (c),~~
36 ~~adjusted annually pursuant to subdivision (b) of Section 42238.1,~~
37 ~~and (ii) the per mentor teacher unit amount provided to the district~~
38 ~~pursuant to subdivision (e) of Section 44505, adjusted annually~~
39 ~~pursuant to subdivision (b) of Section 42238.1.~~

1 ~~(4) In paragraphs (2) and (3), 5 percent of the certificated~~
2 ~~classroom teachers employed by the district shall be rounded to~~
3 ~~the next whole integer.~~

4 ~~(5) If at the end of a fiscal year, an amount of funds available~~
5 ~~for purposes of the Peer Assistance and Review Program remain~~
6 ~~unallocated, the Superintendent shall use the unallocated amount~~
7 ~~to increase the base funding rate calculated under paragraph (1)~~
8 ~~for the succeeding fiscal year.~~

9 SEC. 4. Section 44507 of the Education Code is repealed.

10 ~~44507. Subject to the availability of funding in the annual~~
11 ~~Budget Act, the Superintendent of Public Instruction shall contract~~
12 ~~with an independent evaluator on or before December 15, 2002,~~
13 ~~to prepare a comprehensive evaluation of the implementation,~~
14 ~~impact, cost, and benefit of the California Peer Assistance and~~
15 ~~Review Program for Teachers. The evaluation shall be delivered~~
16 ~~to the Legislature, the Governor, and interested parties on or before~~
17 ~~January 1, 2004. As a condition of receiving funding, school~~
18 ~~districts implementing programs pursuant to this article shall~~
19 ~~provide data, as requested by the Superintendent of Public~~
20 ~~Instruction, to provide baseline information for the evaluation.~~