

**ASSEMBLY BILL**

**No. 2122**

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**Introduced by Assembly Member McCarty**

February 17, 2016

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An act to amend Sections 44391, 44392, and 44393 of, and to repeal and add Section 44390 of, the Education Code, relating to teacher credentialing.

LEGISLATIVE COUNSEL'S DIGEST

AB 2122, as introduced, McCarty. California Classified School Employee Teacher Credentialing Program.

The Wildman-Keeley-Solis Exemplary Teacher Training Act of 1997 establishes the California School Paraprofessional Teacher Training Program for the purpose of recruiting paraprofessionals to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools. The act requires, among other things, that the Commission on Teacher Credentialing, in consultation with certain other educational entities, to select, pursuant to specified criteria, 24 or more school districts or county offices of education representing rural, urban, and suburban areas that apply to participate in the program. The act requires a school district or county office of education to require a person participating in the program to commit to fulfilling certain specified obligations relating to obtaining a teaching credential and employment as a teacher in the school district or county office of education. The act requires a school district or county office of education to require a program participant to obtain a certificate of clearance from the commission and provide verification of a specified level of academic achievement prior to participating in the program. The act expresses

the intent of the Legislature that in each fiscal year, funding for the California School Paraprofessional Teacher Training Program be allocated to the commission for grants to school districts and county offices of education, limits grants to \$3,500 per program participant per year, and makes funding for the grants contingent upon an appropriation in the annual Budget Act.

This bill would substantially revise those provisions to instead establish the California Classified School Employee Teacher Credentialing Program for the purpose of recruiting classified school employees to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools. Subject to an appropriation for these purposes in the annual Budget Act, the bill would require the commission to issue a request for proposals to all school districts and county offices of education in the state in order to solicit applications for funding. The bill would require the criteria adopted by the commission for the selection of school districts or county offices of education to participate in the program to include, among other things, the extent to which the applicant's plan for recruitment attempts to meet the demand of teacher shortages in shortage areas in kindergarten and grades 1 to 12, inclusive. The bill would require an applicant that is selected to participate to provide information about the program to all eligible classified school employees in the school district or county office of education and to provide assistance to each classified school employee it recruits under the program regarding admission to a teacher training program. The bill would also require an applicant to require participants to satisfy specified requirements before participating in the program, including passing a background check, and to certify that it has received a commitment from each participant that he or she will accomplish certain things, including completing all of the requirements for, and obtain, a multiple subject, single subject, or education specialist teaching credential. The bill would require the commission to contract with an independent evaluator with a proven record of experience in assessing teacher training programs to conduct an evaluation to determine the success of the program and would require the evaluation to be conducted once every 5 years, with the first evaluation being completed on or before July 1, 2021. The bill would also require the commission, on or before January 1 of each year, to report to the Legislature regarding the status of the program, as specified. The bill would state the Legislature's intent that each fiscal year, funding for

the program be allocated to the commission for grants for up to 1,000 new participants per year and would prohibit a grant to an applicant from exceeding \$4,000 per participant per year. The bill would make funding for grants to applicants contingent upon an appropriation in the annual Budget Act.

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 44390 of the Education Code is repealed.  
2 ~~44390. The Legislature hereby finds and declares that over the~~  
3 ~~next five years, as many as 50 percent of the classroom teachers~~  
4 ~~in many urban school districts with large percentages of minority~~  
5 ~~pupils will be eligible for retirement. The Legislature further finds~~  
6 ~~and declares that in many school districts there are a number of~~  
7 ~~classified employees, particularly minority group members, who~~  
8 ~~are enrolled in, who have been enrolled in, or who would be~~  
9 ~~interested in enrolling in, a teacher training program leading to a~~  
10 ~~teaching credential if they were provided assistance in applying~~  
11 ~~for admission and financial aid for that purpose.~~

12 ~~The Legislature also finds and declares that educational~~  
13 ~~paraprofessionals who serve pupils in the public schools provide~~  
14 ~~valuable instructional services to public school pupils. A program~~  
15 ~~to enhance instructional competencies and to prepare school~~  
16 ~~paraprofessionals to become teachers would result in improved~~  
17 ~~services in terms of their role in the instructional program in the~~  
18 ~~classroom.~~

19 SEC. 2. Section 44390 is added to the Education Code, to read:

20 44390. The Legislature finds and declares all of the following:

- 21 (a) All children deserve a highly qualified teacher.  
22 (b) California faces a severe teacher shortage.  
23 (c) The demand for new teachers is growing due to the inability  
24 to attract new teachers into the profession, the high attrition rate  
25 of new teachers, and the retirement of existing teachers.  
26 (d) California has a 50-percent higher pupil-to-teacher ratio than  
27 any other state in the country at 24 to 1.  
28 (e) It is estimated that California will need 60,000 additional  
29 teachers to maintain the current pupil-to-teacher ratio.

- 1 (f) California will need 135,000 additional teachers in order to
- 2 return to the prerecession pupil-to-teacher ratio of 16 to 1.
- 3 (g) Teacher shortages vary by subject and region.
- 4 (h) Enrollment in teacher credentialing programs dropped 76
- 5 percent between 2002 and 2014.
- 6 (i) In 2014 and 2015, 40 percent of credentials were awarded
- 7 to underprepared teachers.
- 8 (j) The diversity in the teacher workforce in California does not
- 9 match the diversity of the pupil population.
- 10 (k) Roughly 65 percent of teachers are white, 20 percent are
- 11 Hispanic, and 15 percent are a different race or ethnicity.
- 12 (l) Classified school employees currently working in public
- 13 schools represent a potential pool of future teachers.
- 14 (m) Classified school employees as a group make up the most
- 15 diverse segment of the professional school community.
- 16 (n) Providing incentives for classified school employees to
- 17 obtain a bachelor’s degree and become fully credentialed teachers
- 18 is a proven strategy to increase the number of highly qualified
- 19 teachers in California’s schools.
- 20 SEC. 3. Section 44391 of the Education Code is amended to
- 21 read:
- 22 44391. This article shall be ~~known~~ *known*, and may be ~~cited~~
- 23 *cited*, as the ~~Wildman-Keeley-Solis Exemplary Teacher Training~~
- 24 ~~Act of 1997. California Classified School Employee Teacher~~
- 25 ~~Credentialing Program.~~
- 26 SEC. 4. Section 44392 of the Education Code is amended to
- 27 read:
- 28 44392. For the purposes of this article, unless the context
- 29 clearly requires otherwise, the following terms shall have the
- 30 following meanings:
- 31 (a) “Applicant” means a school district or county office of
- 32 education applying for program funds under the California ~~School~~
- 33 ~~Paraprofessional Teacher Training Program established pursuant~~
- 34 ~~to Section 44393. Classified School Employee Teacher~~
- 35 ~~Credentialing Program.~~
- 36 (b) “Institutions of higher education” means the California
- 37 Community Colleges, the California State University, *and* the
- 38 University of ~~California, and private institutions of higher~~
- 39 ~~education that offer an accredited teacher training program.~~
- 40 *California.*

1 (c) “Participant” means a school paraprofessional who elects  
2 to participate in the California ~~School Paraprofessional Teacher~~  
3 ~~Training Classified School Employee Teacher Credentialing~~  
4 ~~Program.~~

5 (d) “Program” means the California ~~School Paraprofessional~~  
6 ~~Teacher Training Program established pursuant to Section 44393.~~  
7 ~~Classified School Employee Teacher Credentialing Program.~~

8 (e) ~~“School paraprofessional” means the following job~~  
9 ~~classifications: educational aide, instructional aide, special~~  
10 ~~education aide, special education assistant, teacher associate,~~  
11 ~~teacher assistant, teacher aide, pupil service aide, library aide, child~~  
12 ~~development aide, child development assistant, and physical~~  
13 ~~education aide.~~

14 (e) *“Classified school employee” means a noncertificated school*  
15 *employee currently working in a public school pursuant to this*  
16 *chapter.*

17 (f) “Teacher training program” means an undergraduate or  
18 graduate program of instruction conducted by a campus of an  
19 institution of higher education that includes a developmentally  
20 sequenced career ladder to provide instruction, coursework, and  
21 clearly defined tasks for each level of the ladder, and that is  
22 designed to qualify students enrolled in the program for a teaching  
23 credential authorizing instruction in kindergarten and grades 1 to  
24 12, inclusive.

25 SEC. 5. Section 44393 of the Education Code is amended to  
26 read:

27 44393. (a) The California ~~School Paraprofessional Teacher~~  
28 ~~Training Classified School Employee Teacher Credentialing~~  
29 ~~Program is hereby established for the purpose of recruiting school~~  
30 ~~paraprofessionals classified school employees to participate in a~~  
31 ~~program designed to encourage them to enroll in teacher training~~  
32 ~~programs and to provide instructional service as teachers in the~~  
33 ~~public schools.~~

34 (b) ~~The commission, in consultation with the Chancellor of the~~  
35 ~~California Community Colleges, the Chancellor of the California~~  
36 ~~State University, the President of the University of California, the~~  
37 ~~chancellors of private institutions of higher education that offer~~  
38 ~~accredited teacher training programs, and representatives of~~  
39 ~~certificated and classified employee organizations, shall select 24~~  
40 ~~or more school districts or county offices of education representing~~

1 rural, urban, and suburban areas that apply to participate in the  
 2 program. The commission shall ensure that, at a minimum, a total  
 3 of 600 school paraprofessionals are recruited from among the 24  
 4 or more participating school districts or county offices of education.  
 5 *Subject to an appropriation for these purposes in the annual Budget*  
 6 *Act, the commission shall issue a request for proposals to all school*  
 7 *districts and county offices of education in the state in order to*  
 8 *solicit applications for funding.* The criteria adopted by the  
 9 commission for the selection of school districts or county offices  
 10 of education to participate in the program shall include all of the  
 11 following:

12 (1) The extent to which the applicant demonstrates the capacity  
 13 and willingness to accommodate the participation of ~~school~~  
 14 ~~paraprofessionals~~ *classified school employees* in teacher training  
 15 programs conducted at institutions of higher education.

16 (2) The extent to which the applicant's plan for the  
 17 implementation of its recruitment program involves the active  
 18 participation of one or more local campuses of the participating  
 19 institutions of higher education in the development of coursework  
 20 and teaching programs for participating ~~school paraprofessionals~~.  
 21 *classified school employees*. Each selected applicant shall be  
 22 required to enter into a written articulation agreement with the  
 23 participating campuses of the institutions of higher education.

24 ~~(3) The extent to which the applicant's plan for recruitment~~  
 25 ~~attempts to meet the demand for bilingual-crosscultural teachers.~~

26 ~~(4) The extent to which the applicant's plan for recruitment~~  
 27 ~~attempts to meet the demand for multiple subject credentialed~~  
 28 ~~teachers interested in teaching kindergarten or any of grades 1 to~~  
 29 ~~3, inclusive. For purposes of this paragraph, each paraprofessional~~  
 30 ~~selected to participate shall have completed at least two years of~~  
 31 ~~undergraduate college or university coursework and shall have~~  
 32 ~~demonstrated an interest in obtaining a multiple subject teaching~~  
 33 ~~credential for teaching kindergarten or any of grades 1 to 3,~~  
 34 ~~inclusive.~~

35 ~~(5) The extent to which the applicant's plan for recruitment~~  
 36 ~~attempts to meet the demand for special education teachers.~~

37 (3) *The extent to which the applicant's plan for recruitment*  
 38 *attempts to meet the demand of teacher shortages in shortage areas*  
 39 *in kindergarten and grades 1 to 12, inclusive. Each classified*  
 40 *school employee selected to participate shall have completed at*

1 *least two years of undergraduate college or university coursework*  
2 *and shall have demonstrated an interest in obtaining a multiple*  
3 *subject or single subject teaching credential.*

4 ~~(6)~~

5 (4) The extent to which a developmentally sequenced series of  
6 job descriptions leads from an entry-level ~~school paraprofessional~~  
7 *classified school employee* position to an entry-level teaching  
8 position in that school district or county office of education.

9 ~~(7)~~

10 (5) The extent to which the applicant’s plan for recruitment  
11 attempts to meet its own specific teacher needs.

12 ~~(8) The extent to which the applicant’s plan for implementation~~  
13 ~~of its recruitment program involves participation in a district~~  
14 ~~internship program pursuant to Article 7.5 (commencing with~~  
15 ~~Section 44325) and Section 44830.3 or a university internship~~  
16 ~~program pursuant to Article 3 (commencing with Section 44450)~~  
17 ~~of Chapter 3.~~

18 (c) An applicant that is selected to participate pursuant to  
19 subdivision (b) shall provide information *about the program to*  
20 *all eligible classified school employees in the school district or*  
21 *county office of education* and assistance to each ~~school~~  
22 ~~paraprofessional~~ *classified school employee* it recruits under the  
23 program regarding admission to a teacher training program.

24 ~~(d) (1) The applicant shall recruit and organize groups, or~~  
25 ~~“cohorts,” of participants, of no more than 30, and no less than 10,~~  
26 ~~in each cohort. Cohorts shall be organized to consist of participants~~  
27 ~~having approximately equal academic experience and~~  
28 ~~qualifications, as determined by the school district or county office~~  
29 ~~of education. To the extent possible, the members of each cohort~~  
30 ~~shall proceed through the same subject matter and credential~~  
31 ~~programs. The members of each cohort shall enroll in the same~~  
32 ~~college or university and shall be provided appropriate support~~  
33 ~~and information throughout the course of their studies by the~~  
34 ~~applicant.~~

35 ~~(2)~~

36 (d) (1) An applicant shall require participants to satisfy all of  
37 the following requirements ~~prior to~~ *before* participating in the  
38 program:

39 (A) ~~For the purpose of obtaining current criminal history~~  
40 ~~information from the Department of Justice and the Federal Bureau~~

1 of Investigation, obtain a certificate of clearance from the  
2 commission pursuant to Sections 44339 to 44341, inclusive, and  
3 related regulations adopted by the commission.

4 (A) *Pass a criminal background check.*

5 (B) Provide verification of one of the following:

6 (i) Has earned an associate or higher level degree.

7 (ii) Has completed at least two years of study at a postsecondary  
8 educational institution.

9 (iii) ~~Has received a passing score on a formal academic~~  
10 ~~assessment that demonstrates knowledge of, and the ability to~~  
11 ~~assist in the instruction of, reading, writing, and mathematics. The~~  
12 ~~formal academic assessment shall be based upon a job analysis~~  
13 ~~for validity purposes and shall be made readily available to~~  
14 ~~examinees.~~

15 (3)

16 (2) An applicant shall certify that it has received a commitment  
17 from each participant that he or she will accomplish all of the  
18 following:

19 (A) Graduate from an institution of higher education under the  
20 program with a bachelor's degree.

21 (B) Complete all of the requirements ~~for and obtain for, and~~  
22 ~~obtain~~, a multiple subject, single subject, or education specialist  
23 teaching credential.

24 (C) Complete one school year of classroom instruction in the  
25 *school* district or county office of education for each year that he  
26 or she receives assistance for books, fees, and tuition while  
27 attending an institution of higher education under the program.

28 (4) ~~To the extent that a participant does not fulfill his or her~~  
29 ~~obligations, as set forth in paragraph (3), the participant shall be~~  
30 ~~required to repay the assistance. If a participant is laid off, the~~  
31 ~~participant may not be required to repay the assistance until the~~  
32 ~~participant is offered reemployment and has an opportunity to~~  
33 ~~fulfill his or her obligations under this section.~~

34 (5) ~~Except as otherwise provided in paragraph (4), if a~~  
35 ~~participant is unable to fulfill his or her obligations pursuant to~~  
36 ~~paragraph (3) due to a serious illness, a pregnancy, or another~~  
37 ~~natural cause, the time period for repayment of the assistance shall~~  
38 ~~be extended by a maximum period of one year.~~

39 (6) ~~Except as otherwise provided in paragraph (4), if an~~  
40 ~~interruption in employment caused by a natural disaster prevents~~

1 a participant from completing one of the required years of service,  
2 the time period for repayment of the assistance shall be extended  
3 by a period equal to the period between the date the interruption  
4 of employment begins and the date employment resumes.

5 (e) The commission shall contract with an independent evaluator  
6 with a proven record of experience in assessing ~~career advancement~~  
7 ~~programs or~~ teacher training programs to conduct an evaluation  
8 to determine the success of the ~~recruitment programs established~~  
9 ~~pursuant to subdivision (b).~~ *program*. The evaluation shall be  
10 conducted once every five years and shall incorporate data annually  
11 collected by the commission and reported to the Legislature: *years,*  
12 *with the first evaluation being completed on or before July 1, 2021.*  
13 The commission shall complete the evaluation with existing  
14 resources. By January 1 of each year in which an evaluation is  
15 conducted pursuant to this subdivision, commencing with January  
16 1, 2009, the commission shall submit the completed evaluation to  
17 the Governor and the education policy and fiscal committees of  
18 the Assembly and Senate. ~~The evaluation shall include, but is not~~  
19 ~~limited to, all of the following:~~

20 (1) ~~The total cost per person participating in the program who~~  
21 ~~successfully obtains a teaching credential, based upon all state,~~  
22 ~~local, federal, and other sources of funding.~~

23 (2) ~~The economic status of persons participating in the program.~~

24 (3) ~~A description of financial and other resources made available~~  
25 ~~to each recruitment program by participating school districts or~~  
26 ~~county offices of education, institutions of higher education, and~~  
27 ~~other participating organizations.~~

28 (4) ~~The extent to which pupil performance on standardized~~  
29 ~~achievement tests has improved in classes taught by teachers who~~  
30 ~~have successfully completed the program, in comparison to classes~~  
31 ~~taught by other teachers who have equivalent teaching experience.~~

32 (5) ~~The extent to which pupil dropout rates and other measures~~  
33 ~~of delinquency have improved in classes taught by teachers who~~  
34 ~~have successfully completed the program.~~

35 (6) ~~The extent to which teachers who have successfully~~  
36 ~~completed the program remain in the communities in which they~~  
37 ~~reside and in which they teach.~~

38 (7) ~~The attrition rate of teachers who have successfully~~  
39 ~~completed the program.~~

1 ~~(f) Each selected school district or county office of education~~  
 2 ~~shall report to the commission regarding the progress of each cohort~~  
 3 ~~of school paraprofessionals, and other information regarding its~~  
 4 ~~recruitment program as the commission may direct.~~

5 ~~(g)~~

6 ~~(f) No later than~~ *On or before* January 1 of each year, the  
 7 commission shall report to the Legislature regarding the status of  
 8 the program, including, but not limited to, the number of ~~school~~  
 9 ~~paraprofessionals~~ *classified school employees* recruited, the  
 10 academic progress of the ~~school paraprofessionals~~ *classified school*  
 11 *employees* recruited, the number of ~~school paraprofessionals~~  
 12 *classified school employees* recruited who are subsequently  
 13 employed as teachers in the public schools, the degree to which  
 14 the program meets the demand for bilingual and special education  
 15 teachers as well as meeting teacher needs in shortage areas as  
 16 determined by the school district or county office of education,  
 17 the degree to which the program or similar programs can meet that  
 18 demand if properly funded and executed, and other effects upon  
 19 the operation of the public schools. *applicant meets the teacher*  
 20 *shortage needs of the school district or county office of education,*  
 21 *and the ethnic and racial composition of the participants in the*  
 22 *program. The report shall be made in conformance with Section*  
 23 *9795 of the Government Code.*

24 ~~(h)~~

25 ~~(g) (1)~~ It is the intent of the Legislature that each fiscal year,  
 26 funding for the ~~California School Paraprofessional Teacher~~  
 27 ~~Training Classified School Employee Teacher Credentialing~~  
 28 ~~Program~~ be allocated to the ~~Commission on Teacher Credentialing~~  
 29 ~~commission~~ for grants *for up to 1,000 new applicants pursuant to*  
 30 ~~this section. participants per year.~~ A grant to an applicant shall  
 31 not exceed ~~three thousand five hundred dollars (\$3,500)~~ *four*  
 32 *thousand dollars (\$4,000)* per participant per year. Funding for  
 33 grants to applicants ~~pursuant to this subdivision~~ shall be contingent  
 34 upon an appropriation in the annual Budget Act.

35 ~~(2)~~ The commission shall report to the Department of Finance  
 36 ~~by March 31 of each year the amount of funds collected by school~~  
 37 ~~districts and county offices of education as repayment of assistanee~~  
 38 ~~pursuant to paragraph (4) of subdivision (d) and the amount of~~

- 1 ~~funds that remain unspent from the funds appropriated to the~~
- 2 ~~commission in the annual Budget Act for purposes of the program.~~

O