

AMENDED IN ASSEMBLY MARCH 30, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 2401**

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**Introduced by Assembly Member O'Donnell**

February 18, 2016

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*An act to amend Sections 44279.2 and 44279.3 of, and to repeal Sections 44279.25 and 44279.7 of, the Education Code, relating to teachers, and making an appropriation therefor.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 2401, as amended, O'Donnell. Teachers: California Beginning Teacher Support and Assessment System.

Existing law establishes the California Beginning Teacher Support and Assessment System, to be administered jointly by the Commission on Teacher Credentialing and the Superintendent of Public Instruction for specified purposes, including providing an effective transition into the teaching career for first-year and 2nd-year teachers in California.

*Existing law requires the Superintendent, each fiscal year, to adjust the allocation made to a school district or consortium of school districts for each beginning teacher participating in a local teacher induction program pursuant to the California Beginning Teacher Support and Assessment System by the inflation factor set forth in a specified statute.*

This bill would make legislative findings and declarations regarding the teacher shortage in the state and the California Beginning Teacher Support and Assessment System.

This bill would make an appropriation of an unspecified amount from the General Fund to the Superintendent and the commission for the 2016–17 fiscal year to fund the California Beginning Teacher Support and Assessment System. *The bill would instead require the allocation*

*described above to be adjusted each fiscal year by an inflation factor provided in the annual Budget Act.*

This bill would also state the intent of the Legislature that future funding for the California Beginning Teacher Support and Assessment System be provided each year in the annual Budget Act.

*Existing law requires the Superintendent and the commission to award supplemental grants on a competitive basis to California Beginning Teacher Support and Assessment System teacher induction programs to be expended to assist clusters of teacher induction programs operated by school districts or consortiums of school districts.*

*This bill would delete the requirement to award these grants.*

*Existing law required the Superintendent and the commission, by December 1, 2007, to report to the Legislature and the Governor on the current state of the California Beginning Teacher Support and Assessment System. Existing law also required the Superintendent and the commission, by July 1, 2008, to review and revise the Standards of Quality and Effectiveness for Professional Teacher Induction Programs of March 2002.*

*This bill would delete these obsolete reporting requirements.*

*This bill would also make conforming changes, recast certain provisions of existing law, delete other obsolete references, and make other nonsubstantive changes.*

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

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) According to the Commission on Teacher Credentialing, the
- 4 number of ~~pupils~~ *students* enrolled in teacher preparation programs
- 5 declined by more than 50 percent between 2008 and 2013.
- 6 (b) At the same time that enrollment in teacher preparation
- 7 programs is declining, more than 20 percent of California's teachers
- 8 have more than 20 years of experience, meaning they are at or near
- 9 retirement age and will need to be replaced.
- 10 (c) Among new teachers, 40 percent leave the profession within
- 11 the first five years, adding to the teacher shortage and reducing
- 12 the benefits of the state's investment in teacher preparation.

(d) The California Beginning Teacher Support and Assessment System (Article 4.5 (commencing with Section 44279.1) of Chapter 2 of Part 25 of Division 3 of Title 2 of the Education Code), which was established in 1992, has been shown to substantially increase new teacher retention to nearly 90 percent. In addition, the California Beginning Teacher Support and Assessment System has been shown to improve teacher effectiveness and pupil outcomes.

(e) There is a clear state interest in continuing the California Beginning Teacher Support and Assessment System as a proven means of effectively addressing the teacher shortage and improving teacher effectiveness and pupil outcomes.

(f) With the enactment of the local control funding formula, ongoing funding targeted to the California Beginning Teacher Support and Assessment System was eliminated.

(g) While the local control funding formula is an effective system for targeting spending to programs whose benefits accrue to local educational agencies and their pupils, it is not an effective system for the support of programs whose benefits primarily are external to local educational agencies and are more statewide than local.

(h) The California Beginning Teacher Support and Assessment System serves a compelling state interest and should be funded each year in the annual Budget Act.

*SEC. 2. Section 44279.2 of the Education Code is amended to read:*

44279.2. (a) The Superintendent and the commission shall jointly administer the California Beginning Teacher Support and Assessment System pursuant to this ~~chapter~~ *article*. In administering this section, the Superintendent and the commission shall provide or contract for the provision of all of the following:

(1) Establishing requirements for reviewing and approving teacher induction programs.

(2) Developing and administering a system for ensuring teacher induction program quality and effectiveness. For purposes of this section, “program effectiveness” means producing excellent program outcomes in relation to the purposes defined in subdivision

(b) of Section 44279.1. For purposes of this section, “program quality” means excellence with respect to program factors, including, but not limited to, all of the following:

- 1 (A) Program goals.
- 2 (B) Design resources.
- 3 (C) Management, evaluation, and improvement of the program.
- 4 (D) School context and working conditions.
- 5 (E) Support and assessment services to each beginning teacher.
- 6 ~~(3) Developing purposes and functions for reviewing and~~
- 7 ~~approving supplemental grants and standards for program clusters~~
- 8 ~~and program consultants, as defined pursuant to Section 44279.7.~~
- 9 (4)
- 10 (3) Improving and refining the formative assessment system.
- 11 (5)
- 12 (4) Improving and refining professional development materials
- 13 and strategies for all personnel involved in implementing induction
- 14 programs.
- 15 (6)
- 16 (5) Conducting and tracking research related to beginning
- 17 teacher induction.
- 18 (7)
- 19 (6) Periodically evaluating the validity of the California
- 20 Standards for the Teaching Profession adopted by the commission
- 21 and the Standards of Quality and Effectiveness for Beginning
- 22 Teacher Support and Assessment Program adopted by the
- 23 commission and making changes to those documents, as necessary.
- 24 (b) As part of the California Beginning Teacher Support and
- 25 Assessment System, the commission and the Superintendent shall
- 26 establish requirements for local teacher induction programs.
- 27 (c) A school district or consortium of school districts may apply
- 28 to the Superintendent for funding to establish a local teacher
- 29 induction program pursuant to this section. From amounts
- 30 appropriated for purposes of this section, the Superintendent shall
- 31 allocate three thousand dollars (\$3,000) for each beginning teacher
- 32 participating in the program. That amount shall be adjusted each
- 33 fiscal year by ~~the an inflation factor set forth in Section 42238.1.~~
- 34 ~~as provided in the annual Budget Act.~~ To be eligible to receive
- 35 funding, a school district or consortium of school districts shall,
- 36 at a minimum, meet all of the following requirements:
- 37 (1) Develop, implement, and evaluate teacher induction
- 38 programs that meet the Quality and Effectiveness for Beginning
- 39 Teacher Induction Program Standards adopted by the commission.

1 (2) Support beginning teachers in meeting the competencies  
2 described in the California Standards for the Teaching Profession  
3 adopted by the commission.

4 (3) Meet criteria for the cost-effective delivery of program  
5 services.

6 (4) From amounts received from local, state, or resources  
7 available for purposes of teacher induction programs, contribute  
8 not less than two thousand dollars (\$2,000) for the costs of each  
9 beginning teacher served in the induction program.

10 (d) Teachers who have received their preliminary credential in  
11 a district intern program pursuant to Article 7.5 (commencing with  
12 Section 44325) or an intern program pursuant to Article 3  
13 (commencing with Section 44450) of Chapter 3 and who are  
14 participating in an induction program pursuant to this section are  
15 not eligible for funding pursuant to Article 11 (commencing with  
16 Section 44380) of Chapter 2.

17 (e) *In consultation with the Superintendent, the commission*  
18 *shall revise the formative assessment system for beginning*  
19 *teachers, as necessary to ensure that related tasks and activities*  
20 *are aligned to the current standards.*

21 (f) *The Superintendent and the commission shall identify*  
22 *effective practices and techniques and provide for the dissemination*  
23 *of these to local induction program providers.*

24 (g) *The commission shall review induction programs as*  
25 *necessary to determine whether local teacher induction programs*  
26 *are meeting current standards of quality and effectiveness and to*  
27 *ensure greater program quality and consistency.*

28 (h) *The Superintendent and the commission shall ensure that*  
29 *teacher credential candidates are notified of the opportunity to*  
30 *choose an early completion option pursuant to Section 44468.*

31 SEC. 3. *Section 44279.25 of the Education Code is repealed.*

32 ~~44279.25. (a) By December 1, 2007, the Superintendent and~~  
33 ~~the commission shall report to the Legislature and the Governor~~  
34 ~~on the current state of the Beginning Teacher Support and~~  
35 ~~Assessment System. The report shall review the articulation of~~  
36 ~~teacher preparation programs and teacher induction programs to~~  
37 ~~eliminate duplicative requirements and, at a minimum, do all of~~  
38 ~~the following:~~

39 ~~(1) Recommend revisions to laws, regulations, or policies to~~  
40 ~~eliminate duplicative requirements between teacher preparation~~

1 and teacher induction programs, with particular attention paid to  
2 eliminating duplication between induction requirements and  
3 requirements for completion of state-approved alternative  
4 certification programs.

5 (2) Recommend revisions to the system to ensure that teacher  
6 credential candidates achieve teaching competence and programs  
7 use best practices to transition candidates from teacher preparation  
8 programs to induction programs.

9 (3) Recommend ways to ensure that beginning teachers receive  
10 direct assistance from experienced teachers who are familiar with  
11 the grade span, subject matter, and teaching and classroom  
12 management techniques appropriate to the teaching assignment of  
13 each beginning teacher.

14 (b) By July 1, 2008, the Superintendent and the commission  
15 shall review and revise, as necessary, the Standards of Quality and  
16 Effectiveness for Professional Teacher Induction Programs of  
17 March 2002 to ensure that these standards address the application  
18 of knowledge and skills previously acquired in a preliminary  
19 credential program and to remove any requirements or activities  
20 that require candidates to duplicate the acquisition of knowledge  
21 through coursework. This review shall include, but need not be  
22 limited to, all of the following:

23 (1) A review of formative assessment systems in use to ensure  
24 that the systems are appropriately flexible and may be adapted to  
25 reflect progress of individual candidates.

26 (2) A review of professional development provided to induction  
27 participants to ensure that it is not duplicative of coursework  
28 completed during teacher preparation.

29 (3) A review of new teacher support to ensure that the focus is  
30 on application and enhancement of skills and knowledge acquired  
31 in a preliminary credential program.

32 (4) Recommendations for program monitoring with respect to  
33 this subdivision.

34 (c) In consultation with the Superintendent, the commission  
35 shall revise the formative assessment system for beginning  
36 teachers, as necessary to ensure that related tasks and activities  
37 are aligned to the revised standards.

38 (d) The Superintendent and the commission shall identify  
39 effective practices and techniques and provide for the dissemination  
40 of these to local induction program providers.

~~(e) Immediately following the adoption of revised standards pursuant to subdivision (b), the commission shall review induction programs to determine whether local teacher induction programs are meeting standards of quality and effectiveness adopted pursuant to subdivision (b) and to assure greater program quality and consistency. The commission shall schedule regular reviews following the initial review of programs pursuant to this subdivision.~~

~~(f) The Superintendent and the commission shall ensure that teacher credential candidates are notified of the opportunity to choose an early completion option pursuant to Section 44468.~~

~~(g) It is the intent of the Legislature that funds appropriated in Provision 44 of Item 6110-001-0890 of Section 2.00 of the Budget Act of 2006 (Chapter 47 of the Statutes of 2006) be made available for reviews and preparation of the reports required pursuant to subdivisions (a) and (b), and that the implementation of recommendations proceed immediately following the adoption of those reviews and reports.~~

*SEC. 4. Section 44279.3 of the Education Code is amended to read:*

44279.3. (a) It is the intent of the Legislature that the executive secretary of the commission and the Superintendent of Public Instruction shall recommend to the commission standards of beginning teachers' support and performance, and an assessment process for verifying attainment of the performance standards, which shall be based on the results of the evaluation study required by Section 44279.2, as that section read on December 31, 1992.

(b) It is the intent of the Legislature that the commission shall adopt and promulgate standards and requirements for earning the professional teaching credential pursuant to paragraph (2) of subdivision (a) of Section 44225 in accordance with Chapter 3.5 (commencing with Section 11340) of Division 3 of Title 2 of the Government Code. The proposed regulations shall be developed jointly with the Superintendent of Public Instruction, and shall be drafted in consultation with the panel established pursuant to subdivision (b) of Section 44259.2. *Superintendent.*

~~It~~

(c) It is the intent of the Legislature that the requirements of paragraph (2) of subdivision (a) of Section 44225 be operative within six months of the commission's adoption of standards and

requirements for earning the professional credential. First priority shall be given to cost-effective requirements that maximize the use of existing state and local resources. The commission shall consider the use of credential fees and assessment fees to support the cost of implementing the requirements. In adopting professional teacher certification requirements pursuant to this subdivision, the commission shall include the criteria specified in subdivision (d) of Section 44225, and, in addition, shall include the following:

(1) A rigorous program of candidate-centered assessment that relies upon individually evaluating the fitness of each individual candidate for a credential.

(2) Rigorous assessments of each teaching candidate's general knowledge and subject matter knowledge, that are designed to verify reading skills, writing ability, mathematical reasoning, and other elements of a liberal arts education.

(3) Assessments of each teaching candidate's instructional skills and classroom management skills, including an assessment of each teaching candidate's ability to work effectively with ~~students~~ *pupils* of both sexes and from a variety of ethnic, socioeconomic, cultural, academic, and linguistic backgrounds.

(4) Alternatives for professionally supervising, supporting, and assisting beginning teachers for at least the critical first full teaching year.

(5) Deregulation of the academic training of teachers by shifting the emphasis from granting credentials on the basis of program approval to granting credentials on the basis of comprehensive assessments of individual candidates.

(e)

(d) If the professional teacher certification requirements adopted by the commission include passage of a standardized examination, the commission shall establish a procedure for approval by the commission of alternative examinations or assessments whose scope, contents, and level of difficulty are determined by the commission to be equivalent to the scope, contents, and level of difficulty of the standardized examination. In making these determinations, the commission may refer to and utilize, to the extent consistent with this section, accepted national and professional standards governing the use of tests and assessments, and governing the determination of equivalence between alternative tests and assessments. The commission shall recover the costs of



1 administering any standard examination that the commission adopts  
2 by collecting examination fees from examinees. An agency or  
3 organization that recommends an alternative examination that is  
4 approved by the commission shall pay the costs of developing and  
5 administering the alternative examination from any available source  
6 of funds, including examination fees, existing budget allocations,  
7 and amended budget allocations.

8 (d)

9 (e) It is the intent of the Legislature that no detailed prescriptive  
10 checklists of competencies be adopted at the state level for the  
11 assessment of each beginning teacher's classroom performance.

12 (e)

13 (f) Until the operative date of the regulations that are adopted  
14 and promulgated in accordance with subdivision (b), the  
15 commission shall continue to administer teacher certification  
16 requirements and regulations that were in effect on December 31,  
17 1988. The commission may amend those requirements and  
18 regulations, as the need arises.

19 *SEC. 5. Section 44279.7 of the Education Code is repealed.*

20 ~~44279.7.— (a) The superintendent and the commission shall~~  
21 ~~award supplemental grants on a competitive basis to Beginning~~  
22 ~~Teacher Support and Assessment System teacher induction~~  
23 ~~programs established pursuant to Section 44279.2 that are identified~~  
24 ~~as having expertise according to criteria established by the~~  
25 ~~superintendent and the commission. The supplemental grants~~  
26 ~~received pursuant to this section shall be expended to assist clusters~~  
27 ~~of teacher induction programs operated by school districts or~~  
28 ~~consortiums of school districts.~~

29 ~~(b) The superintendent and the commission shall designate each~~  
30 ~~school district and consortium of school districts participating in~~  
31 ~~the Beginning Teacher Support and Assessment System established~~  
32 ~~pursuant to Section 44279.2 as belonging to a cluster according~~  
33 ~~to the criteria established pursuant to this subdivision. For the~~  
34 ~~purposes of this section "cluster" means a cluster of school districts~~  
35 ~~or consortium of school districts established pursuant this section.~~  
36 ~~The superintendent and the commission shall establish criteria for~~  
37 ~~the formation of school districts or consortiums of school district~~  
38 ~~teacher induction program clusters based upon, but not necessarily~~  
39 ~~be limited to, all of the following:~~

40 ~~(1) Geographic proximity.~~

1 ~~(2) Program size.~~

2 ~~(3) The number of beginning teachers served.~~

3 ~~(4) The similarity of teacher characteristics and pupil populations~~  
4 ~~in each school district.~~

5 ~~(e) School districts and consortiums of school districts awarded~~  
6 ~~supplemental grants pursuant to this section shall identify a teacher~~  
7 ~~induction program consultant to assist the school district or~~  
8 ~~consortiums of school districts forming a cluster. The~~  
9 ~~superintendent and the commission shall identify the purpose and~~  
10 ~~functions of each consultant. Those purposes and functions shall~~  
11 ~~include, but not necessarily be limited to, all the following:~~

12 ~~(1) Assisting in designing, implementing, refining, and~~  
13 ~~evaluating their teacher induction programs.~~

14 ~~(2) Assisting in building the capacity to provide professional~~  
15 ~~development for all personnel involved in the implementation of~~  
16 ~~teacher induction programs, including, but not limited to, beginning~~  
17 ~~teachers, support providers, and administrators.~~

18 ~~(3) Disseminating information on teacher induction programs~~  
19 ~~to all interested participants within the cluster and collaborating~~  
20 ~~with other consultants statewide and with state administrative~~  
21 ~~agency staff to ensure ongoing program improvement.~~

22 ~~(d) The superintendent and the commission shall ensure that~~  
23 ~~each grant awarded pursuant to this section supports the salary and~~  
24 ~~benefits and other related costs based on the prorated amount of~~  
25 ~~time dedicated to this function for a consultant to assist each~~  
26 ~~cluster.~~

27 ~~SEC. 2.~~

28 *SEC. 6.* The amount of \_\_\_\_ dollars (\$\_\_\_\_) is hereby  
29 appropriated from the General Fund to the Superintendent of Public  
30 Education *Instruction* and the Commission on Teacher  
31 Credentialing for the purposes of Section 44279.2 of the Education  
32 Code for the 2016–17 fiscal year.

33 ~~SEC. 3.~~

34 *SEC. 7.* It is the intent of the Legislature that funding for the  
35 California Beginning Teacher Support and Assessment System  
36 (Article 4.5 (commencing with Section 44279.1) of Chapter 2 of  
37 Part 25 of Division 3 of Title 2 of the Education Code) be provided  
38 each year in the annual Budget Act.

O