

AMENDED IN SENATE JUNE 7, 1999
AMENDED IN ASSEMBLY APRIL 14, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1067

Introduced by Assembly Member Margett

February 25, 1999

An act to amend Section 44424 of the Education Code, relating to teacher credentialing.

LEGISLATIVE COUNSEL'S DIGEST

AB 1067, as amended, Margett. Teacher credentialing.

Existing law defines "sex offense" for purposes of various provisions relating to the employment of school employees. Among the offenses constituting a sex offense is any offense involving lewd and lascivious conduct under the provision that prohibits causing, encouraging, or contributing to the delinquency of persons under 18 years of age. Existing law requires the Commission on Teacher Credentialing to immediately revoke the teaching or services credential of a person when the person's conviction of a violation, or attempted violation, of any one or more of certain offenses, including causing, encouraging, or contributing to the delinquency of persons under 18 years of age becomes final.

This bill would provide, instead, that a conviction of encouraging, or contributing to the delinquency of persons under 18 years of age when it involves lewd and lascivious conduct or any offense committed or attempted in any other

state or against the laws of the United States which, if committed or attempted in this state, would have been punished as one or more of certain offenses, is a conviction that, upon becoming final, requires the Commission on Teacher Credentialing to immediately revoke the credential of the person so convicted. *The bill would include within the listed offenses certain offenses regarding assaulting a child under 8 years of age by a custodian of that child and regarding infliction of cruel or inhuman corporal punishment upon a child.*

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 44424 of the Education Code is
 2 amended to read:
 3 44424. Upon the conviction of the holder of any
 4 credential issued by the State Board of Education or the
 5 Commission on Teacher Credentialing of a violation, or
 6 attempted violation, of any one or more of Penal Code
 7 Sections 187 to 191, 192 insofar as said section relates to
 8 voluntary manslaughter, 193, 194 to 217.1, both inclusive,
 9 220, 222, 244, 245, 261 to 267, both inclusive, 273a, 273ab,
 10 273d, 273f, 273g, 278, 285 to 288a, both inclusive, 424, 425,
 11 484 to 488, both inclusive, insofar as said sections relate to
 12 felony convictions, 503 and 504, or of any offense
 13 involving lewd and lascivious conduct under Section 272
 14 of the Penal Code, or any offense committed or
 15 attempted in any other state or against the laws of the
 16 United States which, if committed or attempted in this
 17 state, would have been punished as one or more of the
 18 offenses specified in this section, becoming final, the
 19 commission shall forthwith revoke the credential.
 20 Upon a plea of nolo contendere that does not constitute
 21 a conviction pursuant to Section 1016 of the Penal Code,
 22 all credentials held by the respondent shall be suspended
 23 until a final disposition regarding those credentials is
 24 made by the commission. Any action that the commission
 25 is permitted to take following a conviction may be taken



1 after the time for appeal has elapsed, or the judgment of
2 conviction has been affirmed on appeal, or when an order
3 granting probation is made suspending the imposition of
4 sentence and the time for appeal has elapsed or the
5 judgment of conviction has been affirmed on appeal,
6 irrespective of a subsequent order under the provisions
7 of Section 1203.4 of the Penal Code.

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