

AMENDED IN SENATE MAY 11, 1999

AMENDED IN SENATE APRIL 29, 1999

AMENDED IN SENATE APRIL 15, 1999

SENATE BILL

No. 395

**Introduced by Senator Hughes
(Coauthor: Senator McPherson)**

February 12, 1999

An act to amend Section 44253.10 of the Education Code, relating to teacher credentialing.

LEGISLATIVE COUNSEL'S DIGEST

SB 395, as amended, Hughes. Teacher credentialing.

Existing law permits a teacher with a basic teaching credential to be assigned to provide specially designed content instruction delivered in English, as defined, to limited-English-proficient pupils only if certain conditions are met, including that the teacher be, as of January 1, 1995, a permanent employee of a school district, a county office of education, or a school administered under the authority of the Superintendent of Public Instruction and that the teacher complete 45 clock hours of staff development in methods of specially designed content instruction delivered in English before January 1, 2000.

This bill would extend the January 1, 1995, date by which a teacher would be required to be a permanent employee to January 1, 1999, and would extend the January 1, 2000, deadline for the completion of the required staff development to January 1, 2005.

Existing law permits a teacher who is awarded a certificate of completion of staff development in methods of specially designed content instruction delivered in English to be assigned to provide instruction for English language development, as defined, in a self-contained classroom only if the teacher has certain experience or additional staff development.

This bill would authorize a teacher who is awarded a certificate of completion of staff development in methods of specially designed content instruction delivered in English to provide that instruction, *and to provide instruction for English language development*, in any departmentalized teaching assignment consistent with the authorization of the teacher's basic credential.

Existing law requires the Commission on Teacher Credentialing, in consultation with the Superintendent of Public Instruction, to establish guidelines for the provision of staff development that allows a teacher with a basic teaching credential to be assigned to provide to limited-English-proficient pupils specially designed content instruction delivered in English and instruction in English language development.

This bill would require those guidelines to be aligned to the teacher preparation leading to the issuance of a certificate commonly known as the CLAD and would prohibit this alignment from resulting in any increase in the number of hours of required staff development. The bill would require the Commission on Teacher Credentialing to review staff development programs in relation to the guidelines and standards and to report to the Legislature on the status of the staff development programs and certification process.

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 44253.10 of the Education Code
 2 is amended to read:
 3 44253.10. (a) A teacher with a basic teaching
 4 credential may be assigned to provide specially designed



1 content instruction delivered in English, as defined in
2 subdivision (b) of Section 44253.2, to
3 limited-English-proficient pupils only if the following
4 conditions are met:

5 (1) The teacher, as of January 1, 1999, is a permanent
6 employee of a school district, a county office of education,
7 or a school administered under the authority of the
8 Superintendent of Public Instruction, or was previously
9 a permanent employee and then was employed in any
10 California public school district within 39 months of the
11 previous permanent status, or has been employed in a
12 school district with an average daily attendance of not
13 more than 250 for at least two years.

14 (2) The teacher completes 45 clock hours of staff
15 development in methods of specially designed content
16 instruction delivered in English prior to January 1, 2005.
17 The extension of the date by which a teacher is required
18 to complete this staff development may not be construed
19 as authorizing teachers to teach
20 limited-English-proficient pupils without a certificate
21 issued pursuant to this section or Sections 44253.3 and
22 44253.4.

23 (b) The commission, in consultation with the
24 Superintendent of Public Instruction, shall establish
25 guidelines for the provision of staff development
26 pursuant to this section. The commission and the
27 superintendent shall use their best efforts to establish
28 these guidelines as soon as possible, but in no event later
29 than January 1, 1996. Staff development pursuant to this
30 section shall be consistent with the commission's
31 guidelines.

32 (1) To ensure the highest standards of program quality
33 and effectiveness, the guidelines shall include quality
34 standards for the persons who train others to perform
35 staff development training and for those who provide the
36 training. The guidelines may require that teachers who
37 qualify to provide instruction pursuant to paragraph (1)
38 of subdivision (d) include a portion, within the total 45
39 clock hours of training provided in paragraph (2) of
40 subdivision (a), in English language development.



1 (2) The guidelines for training to meet the
2 requirements of paragraph (1) of subdivision (d) may
3 provide for 20 hours, or fewer hours as the commission
4 may specify, of training in any aspect of English language
5 development or specially designed content instruction
6 delivered in English.

7 (3) The guidelines shall require that the staff
8 development offered pursuant to this section be aligned
9 to the teacher preparation leading to the issuance of a
10 certificate pursuant to Section 44253.3 and any
11 amendments made to that section. This alignment,
12 however, may not result in any increase in the number of
13 hours of staff development necessary to meet the
14 requirements of this section.

15 (4) The guidelines and standards established by the
16 commission to implement this section shall require and
17 maintain compliance with any requirements mandated
18 by federal law for purposes of assuring continued federal
19 financial assistance.

20 (5) The commission shall review staff development
21 programs in relation to the guidelines and standards
22 established pursuant to this section. The review shall
23 include all programs offered pursuant to this section
24 except programs previously approved pursuant to
25 subdivision (c). If the commission finds that a program
26 meets the applicable guidelines and standards, the
27 commission shall forward a report of its findings to the
28 chief executive officer of the sponsoring school district,
29 county office of education, or regionally accredited
30 college or university. If the commission finds that a
31 program does not meet the applicable guidelines or
32 standards, or both, the report of the commission shall
33 specify the areas of noncompliance and the time period
34 in which a second review shall occur. If a second review
35 of a program by the commission reveals a pattern of
36 continued noncompliance with the applicable guidelines
37 or standards, or both, the sponsoring agency shall not
38 offer the program to teachers who have not already
39 enrolled in it.



1 (6) By December 31, 2000, the commission shall report
2 to the Legislature on the status of the 45 hour and the 90
3 hour alternative programs, including the strengths and
4 weaknesses of the process and programs. In preparing the
5 report, the commission shall include a summary of its
6 review pursuant to paragraph (5) of the staff
7 development programs.

8 (c) The staff development may be sponsored by any
9 school district, county office of education, or regionally
10 accredited college or university that meets the standards
11 included in the guidelines established pursuant to this
12 subdivision or any organization that meets those
13 standards and is approved by the commission. Any
14 equivalent three semester unit or four quarter unit class
15 may be taken by the teacher at a regionally accredited
16 college or university to satisfy the staff development
17 requirement described in either subdivision (a) or (d), or
18 both. *Once the commission has made a determination*
19 *that a college or university class is equivalent, no further*
20 *review of the class shall be required pursuant to*
21 *paragraph (5) of subdivision (b), regardless of the date of*
22 *the initial review.*

23 (d) A teacher who completes the staff development
24 described in subdivision (a) shall be awarded a certificate
25 of completion of staff development in methods of
26 specially designed content instruction delivered in
27 English and may provide specially designed content
28 instruction delivered in English in any departmentalized
29 teaching assignment consistent with the authorization of
30 the teacher's basic credential. *A teacher who completes*
31 *the staff development described in subdivision (a) may*
32 *provide instruction for English language development in*
33 *any departmentalized teaching assignment consistent*
34 *with the authorization of the teacher's basic credential. A*
35 *teacher who has completed, or completes the staff*
36 *development described in subdivision (a) may not be*
37 *assigned to provide content instruction in the pupil's*
38 *primary language, as defined in subdivision (c) of Section*
39 *44253.2. A teacher who completes the staff development*
40 *described in subdivision (a) may be assigned to provide*



1 instruction for English language development, as defined
2 in subdivision (a) of Section 44253.2 in a self-contained
3 classroom under either of the following circumstances:

4 (1) The teacher has taught for at least nine years in
5 California public schools, certifies that he or she has had
6 experience or training in teaching
7 limited-English-proficient pupils, and authorizes
8 verification by the entity that issues the certificate of
9 completion. The teacher shall be awarded a certificate of
10 completion in methods of instruction for English
11 language development in a self-contained classroom.

12 (2) The teacher has taught for less than nine years in
13 California public schools, or has taught for at least nine
14 years in California public schools but is unable to certify
15 that he or she has had experience or training in teaching
16 limited-English-proficient pupils, but has, within three
17 years of completing the staff development described in
18 subdivision (a), completed an additional 45 hours of staff
19 development, including specially designed content
20 instruction delivered in English and English language
21 development training, as set forth in the guidelines
22 developed pursuant to subdivision (b). Upon completion
23 of this additional staff development, the teacher shall be
24 awarded a certificate of completion in methods of
25 instruction for English language development in a
26 self-contained classroom.

27 (e) During the period in which a teacher is pursuing
28 the training specified in paragraph (2) of subdivision (a)
29 or subdivision (d), or both, including the period for the
30 assessment and awarding of the certificate, the teacher
31 may be provisionally assigned to provide instruction for
32 English language development, as defined in subdivision
33 (a) of Section 44253.2, or to provide specially designed
34 content instruction delivered in English, as defined in
35 subdivision (b) of Section 44253.2.

36 (f) (1) A teacher who completes the staff
37 development with any provider specified in subdivision
38 (c), and who meets the requirements of subdivision (a)
39 or (d) for a certificate of completion of staff development
40 in methods of specially designed content instruction



1 delivered in English or English language development in
2 a self-contained classroom, or both, shall be issued the
3 certificate or certificates. The teacher may apply to any
4 of the following agencies for the certificate or certificates,
5 but the teacher shall be issued the certificate or
6 certificates by only one of these agencies:

7 (A) The school district in which the teacher is a
8 permanent employee.

9 (B) The county office of education in the county in
10 which the teacher is an employee for an agency specified
11 in paragraph (1) of subdivision (a).

12 (C) Any school district or county office of education
13 that provides staff development pursuant to subdivision
14 (c). Before issuing a certificate or certificates based on an
15 equivalent class or classes, as provided for in subdivision
16 (c), the issuing agency shall determine if the class or
17 classes meet the guidelines established pursuant to
18 subdivision (b).

19 (2) Any school district or county office of education
20 that issues a certificate of completion shall forward a copy
21 of the certificate to the Commission on Teacher
22 Credentialing within 90 days of issuing the certificate.

23 (3) An agency that issues a certificate or certificates of
24 completion may charge the teacher requesting the
25 certificate or certificates of completion a fee that will
26 cover the actual costs of the agency in issuing, forwarding
27 a copy to the commission, and paying any fee charged by
28 the commission for receiving and servicing, the
29 certificate or certificates of completion.

30 The commission may charge the agency that forwards
31 a copy of a certificate or certificates of completion a
32 one-time fee to cover the actual costs to the commission
33 to file the copy or copies, and to issue duplicates when
34 requested by the teacher. The fee shall not exceed an
35 amount equal to one-half the fee the commission charges
36 for issuing a credential.

37 (g) The certificate of completion is valid in all
38 California public schools. A teacher who has been issued
39 a certificate of completion may be assigned indefinitely
40 to provide the instructional services named on the



1 certificate in any school district, county office of
2 education, or school administered under the authority of
3 the Superintendent of Public Instruction.

4 (h) Teacher assignments made in accordance with
5 subdivision (a) of this section shall be included in the
6 reports required by subdivisions (a) and (e) of Section
7 44258.9.

8 (i) The governing board of each school district shall
9 make reasonable efforts to provide
10 limited-English-proficient pupils in need of English
11 language development instruction with teachers who
12 hold appropriate credentials, language development
13 specialist certificates, or crosscultural language and
14 academic development certificates that authorize
15 English language development instruction. However,
16 any teacher awarded a certificate or certificates of
17 completion shall be deemed certificated and competent
18 to provide the services listed on that certificate of
19 completion. A teacher who completes staff development
20 pursuant to this section may use those hours of staff
21 development to meet the requirements of subdivision
22 (b) of Section 44277.

23 (j) Any teacher completing staff development
24 pursuant to this section shall be credited with three
25 semester units or four quarter units for each block of 45
26 hours of staff development completed for the purpose of
27 meeting the requirements set forth in subdivision (b) of
28 Section 44253.3.

29 (k) Any school district may use funds allocated to it for
30 the purposes of Chapter 3.1 (commencing with Section
31 44670) to provide staff development pursuant to this
32 section.

