Senate Bill No. 842

Passed the Senate August 31, 2006

_____

Secretary of the Senate

Passed the Assembly August 30, 2006

_____

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of _____, 2006, at _____ o'clock ____M.

_____

Private Secretary of the Governor

Corrected 9-12-06

CHAPTER _____

An act to amend Sections 44395, 44830, 69612, 69613, 70000, 70001, 70002, 70003, 70004, and 70005 of, to add Article 5.5 (commencing with Section 90545) to Chapter 11 of Part 55 of, and to add and repeal Article 5 (commencing with Section 90540) of Chapter 11 of Part 55 of, the Education Code, relating to teacher development, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 842, Torlakson. Teacher development: recruitment, training, and retention.

(1) Existing law establishes the National Board for Professional Teaching Standards Certification Incentive Program to award grants to teachers who, among other things, have attained certification from the National Board for Professional Teaching Standards. Under the program, a teacher attaining a national board certification is eligible for an award of up to $20,000 if he or she agrees to teach at a high-priority school for at least 4 years.

This bill, to the extent that funds are appropriated for this purpose in the annual Budget Act, and in order to defray the expense of attaining certification from the National Board for Professional Teaching Standards, would authorize the State Department of Education to provide state funds to school districts for the purpose of paying the fees of teachers who seek that certification, are employed by school districts or charter schools, and are assigned to teach in California public schools.

(2) Existing law requires the Commission on Teacher Credentialing to establish standards and procedures for the initial issuance and renewal of credentials, and prohibits the commission from initially issuing a credential, permit, certificate, or renewal of an emergency credential to a person unless that person passes the state basic skills proficiency test administered by the commission. Existing law exempts a certificated person from taking the state basic skills proficiency test if he or she was employed in a position requiring certification in any school district within 39 months prior to employment with the district,

or if he or she is a retired certificated employee who meets specified requirements.

This bill would delete those provisions, and instead provide that a certificated person is not required to take the state basic skills proficiency test if he or she has taken and passed it at least once or possessed a credential prior to the enactment of the statute that made the test a requirement.

(3) Existing law establishes the Governor's Teaching Fellowships Program, which is administered by the Chancellor of the California State University, in collaboration with the University of California, the California Community Colleges, the Association of Independent California Colleges and Universities, the State Department of Education, and the Commission on Teacher Credentialing. Existing law specifies the number and amount of nonrenewable graduate teaching fellowships that are to be awarded in January 2001, in September 2001, and during the 2001–02 fiscal year. Existing law requires, commencing with the 2002–03 fiscal year and each fiscal year thereafter, the number of fellowships awarded to be determined pursuant to an appropriation in the annual Budget Act. Existing law imposes on the chancellor's office specified duties relating to the operation of the fellowship program.

Existing law establishes an intersegmental review committee to review all fellowship applications. Existing law also requires a fellowship recipient to agree to teach in a high-priority school for 4 consecutive years, within 4 years of the completion of his or her preparation program, and to repay the state $5,000 annually, up to $20,000, for each year he or she fails to complete the teacher preparation program or the required teaching service. Existing law requires the Trustees of the California State University to provide an annual report on the program.

This bill would require, commencing with the 2007–08 fiscal year and for each fiscal year thereafter, that the number of fellowships awarded under this program be determined pursuant to an appropriation in the annual Budget Act for this purpose, as specified.

The bill would require the intersegmental review committee to advise the chancellor on the needs of fellowship recipients who are students in segments other than the California State University, and would reduce the number of the members on the

committee from 12 to 9, as specified. The bill would require a fellowship recipient to agree to teach in a high-priority school for 3 consecutive years within 4 years of the completion of his or her preparation program, and would require a recipient of funds under the program on or after January 1, 2007, to forfeit any future payments if he or she fails to complete any portion of his or her obligation to teach in a high-priority school for 3 years.

The bill would require the chancellor to provide the annual report on the fellowship program, as specified, and the bill would specify that the report would be submitted to the Legislature. The bill would provide that the provisions authorizing the chancellor's office to adopt any rules and regulations it deems necessary for the recovery of funds applies only to the recipients of funds under the program prior to January 1, 2007. The bill would limit the requirement that the rules and regulations include a provision that authorizes a specified civil penalty on a fellowship award recipient for failing to fulfill his or her obligation to teach in a high-priority school, as specified, to the recipients of funds under the program prior to January 1, 2007.

(4) Existing law establishes the California Center on Teaching Careers for the purposes of recruiting qualified and capable individuals into the teaching profession. Existing law requires the California Center on Teaching Careers to perform specified duties, including, among others, creating or expanding a referral database for qualified teachers seeking employment in the public schools.

This bill would establish the California Teacher Cadet Program, to be operated by the California Center on Teaching Careers in conjunction with the Superintendent of Public Instruction and the Chancellor of the California State University. The bill would require the California State University to convene an advisory committee to accomplish both of the following: to develop a common core curriculum designed to expose pupils to teaching careers and the education system through the development of a hands-on curriculum that includes specified elements; and to develop criteria and standards that would be used to create a request-for-proposal for the competitive grant program established under the bill and described in paragraph (5) below. The bill would specify the responsibilities of the advisory committee, and would require the chancellor to appoint the

membership of the advisory committee in accordance with prescribed criteria. The bill would require the chancellor to submit to the Legislature and the Governor, on or before May 1, 2007, a report that includes the findings and recommendations of the advisory committee with respect to the competitive grant program.

The bill would require a school district that participates in the California Teacher Cadet Program to receive, from funds appropriated for that purpose, a one-time grant of up to $1,500 for the startup of the program at its schoolsite, as specified. The bill, subject to the availability of funding, would require the California State University to contract for an evaluation of this program and report to the Legislature, as specified, no later than January 1, 2010.

This bill would repeal the California Teacher Cadet Program on January 1, 2015.

(5) Existing law establishes the California State University under the administration of the Trustees of the California State University. Under existing law, the Chancellor of the California State University serves as the chief executive officer of the university.

This bill would express the intent of the Legislature to create a competitive grant program for institutions of higher education to collaborate with schools and local educational agencies in order to create and implement professional development schools for teacher education. The bill would express the intent of the Legislature to include an appropriation of $3,000,000 in the Budget Act of 2007 for the purposes of the competitive grant program.

(6) The bill would make an appropriation of $475,000 from the General Fund for the 2006–07 fiscal year for purposes relating to the California Teacher Cadet Program, and would provide that, for purposes of making computations required by Section 8 of Article XVI of the California Constitution, $300,000 of that amount, as scheduled, would be deemed to be "General Fund revenues appropriated to school districts," as defined in existing law, for the 2006–07 fiscal year, and would be included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes

appropriated pursuant to Article XIII B," as defined in existing law, for the 2006–07 fiscal year.

(7) The bill would make related legislative findings and declarations, and declare the intent of the Legislature, as specified. The bill would also make conforming changes in related provisions of existing law.

Appropriation: yes.

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

SECTION 1. The Legislature finds and declares all of the following:

(a) Today, more than 20,000 teachers in California are still underprepared and each day more than 400,000 pupils are being shortchanged by the serious lack of investment in recruiting, training, and retaining qualified teachers.

(b) The shortage of qualified classroom teachers is growing throughout California, with recent teacher retirement and attrition projections indicating that California will need to recruit, train, and retain nearly 100,000 new teachers over the next 10 years.

(c) The problem is particularly acute in low-performing, high-priority schools where a significant number of pupils fail to meet rigorous state and federal academic performance standards.

(d) The rising costs of higher education, coupled with the shift in available financial aid from scholarships and grants to loans, has placed an increasing burden of long-term debt upon pupils. As a result, loan repayment options have become an increasingly important consideration in a pupil's decision to pursue a postsecondary education, especially for those pupils who are considering a career in teaching, which is not as lucrative as many private sector professions.

(e) The availability of financial aid and loan repayment assistance are particularly important to economically disadvantaged pupils when making their educational and career decisions.

(f) Recent research shows that teachers are more likely to be attracted to, and be more successful in schools that resemble the communities from which they came. The acute need for quality teachers in high-priority schools and districts is partly due to a

lack of pupils from these communities entering the teaching profession.

(g) Quality teacher preparation programs, intensive professional development, proper support, and critical assessment during the beginning years of a teacher's career, are crucial to teacher quality and retention.

SEC. 2. Section 44395 of the Education Code is amended to read:

44395. (a) The National Board for Professional Teaching Standards Certification Incentive Program is hereby established to award grants to school districts for the purpose of providing awards to teachers who are employed by school districts or charter schools, are assigned to teach in California public schools, and have attained certification from the National Board for Professional Teaching Standards. Awards shall be granted to the extent that funds have been appropriated for this purpose in the annual Budget Act.

(1) Any teacher who has attained certification from the National Board for Professional Teaching Standards is eligible to receive an award of up to twenty thousand dollars ($20,000) if he or she agrees to teach at a high-priority school for at least four years. Teaching service before July 1, 2000, may not be counted towards satisfaction of this four-year commitment.

(2) Awards granted pursuant to this subdivision shall be disbursed in annual payments of five thousand dollars ($5,000) over a four-year period. The annual payment shall be made upon completion of the school year, and upon approval of a district-certified application pursuant to the guidelines of subdivision (c) of Section 44396.

(b) The State Department of Education may provide fee assistance from funds appropriated in the annual Budget Act for the National Board for Professional Teaching Standards Certification Incentive Program to defray the fees of teachers who seek certification from the National Board for Professional Teaching Standards. The State Department of Education may provide fee assistance of up to one thousand dollars ($1,000) for each participating teacher, with total fee assistance under this subdivision not to exceed two million dollars ($2,000,000).

(c) The department shall administer the awards authorized by subdivisions (a) and (b), and shall develop, in consultation with

the commission, certification and award information, criteria, procedures, and applications, all of which shall be submitted to the state board for approval. Amendments requested by the state board to that information, criteria, procedures, and applications shall be made before the dissemination of the material and the granting of any award under this article.

(d) The department shall distribute the materials described in subdivision (c) to school districts. Each school district is strongly encouraged to ensure that teachers employed by the district or by charter schools affiliated with the district are informed about the program and can acquire the necessary application and information materials.

(e) School districts are encouraged to provide for adequate release time and support for a teacher to complete the certification process. As a condition to providing that release time and support, a school district may require that a teacher serve in a mentor teacher capacity.

(f) For purposes of this article, the following definitions apply:

(1) "School district" means a school district, a county board of education, county superintendent of schools, a state operated program, including a special school, or an education program providing instruction in kindergarten or any of grades 1 to 12, inclusive, that is offered by a state agency, including the Division of Juvenile Justice of the Department of Corrections and Rehabilitation and the State Department of Developmental Services.

(2) "High-priority school" means a school ranked in deciles 1 to 5, inclusive, of the Academic Performance Index rankings established pursuant to subdivision (a) of Section 52056. This designation shall be determined as of the date of the agreement by the teacher described in paragraph (1) of subdivision (a).

SEC. 3. Section 44830 of the Education Code is amended to read:

44830. (a) The governing board of a school district shall employ in positions requiring certification qualifications, only persons who possess the qualifications therefor prescribed by law. It is contrary to the public policy of this state for any person or persons charged, by the governing boards, with the responsibility of recommending persons for employment by the boards to refuse or to fail to do so for reasons of race, color,

religious creed, sex, or national origin of the applicants for that employment.

(b) A school district governing board shall not initially hire on a permanent, temporary, or substitute basis a certificated person seeking employment in the capacity designated in his or her credential, unless that person has demonstrated basic skills proficiency as provided in Section 44252.5 or is exempted from the requirement by subdivision (c), (d), (e), (f), (g), (h), (i), (j), (k), (*l*), or (m).

(1) The governing board of a school district, with the authorization of the commission, may administer the state basic skills proficiency test required under Sections 44252 and 44252.5.

(2) (A) The Superintendent, in conjunction with the commission and local governing boards, shall take steps necessary to ensure the effective implementation of this subdivision.

(B) It is the intent of the Legislature that in effectively implementing this subdivision, school district governing boards shall direct superintendents of schools to prepare for emergencies by developing a pool of qualified emergency substitute teachers. This preparation shall include public notice of the test requirements and of the dates and locations of administrations of the tests. District governing boards shall make special efforts to encourage individuals who are known to be qualified in other respects as substitutes to take the state basic skills proficiency test at its earliest administration.

(3) Demonstration of proficiency in reading, writing, and mathematics by any person pursuant to Section 44252 satisfies the requirements of this subdivision.

(c) A certificated person is not required to take the state basic skills proficiency test if he or she has taken and passed it at least once or he or she possessed a credential prior to the enactment of the statute that made the test a requirement.

(d) This section does not require a person employed solely for purposes of teaching adults in an apprenticeship program, approved by the Division of Apprenticeship Standards of the Department of Industrial Relations, to pass the state proficiency assessment instrument as a condition of employment.

(e) This section does not require the holder of a child care permit or a permit authorizing service in a development center for the handicapped to take the state basic skills proficiency test, so long as the holder of the permit is not required to have a baccalaureate degree.

(f) This section does not require the holder of a credential issued by the commission who seeks an additional credential or authorization to teach, to take the state basic skills proficiency test.

(g) This section does not require the holder of a credential to provide service in the health profession to take the state basic skills proficiency test, if that person does not teach in the public schools.

(h) If the state basic skills proficiency test is not administered at the time of hiring, the holder of a vocational designated subject credential who has not already taken and passed the state basic skills proficiency test may be hired on the condition that he or she will take the test at its next local administration.

(i) If the holder of a vocational designated subject credential does not pass a proficiency assessment in basic skills pursuant to this section, he or she shall be given one year in which to retake and pass the proficiency assessment in basic skills. If at the expiration of the one-year period he or she has not passed the proficiency assessment in basic skills, he or she shall be subject to dismissal under procedures established in Article 3 (commencing with Section 44930).

(j) This section does not require the holder of a vocational designated subject credential to pass the state basic skills proficiency test as a condition of employment. The governing board of each school district, or each governing board of a consortium of school districts, or each governing board involved in a joint powers agreement, that employs the holder of a vocational designated subject credential shall establish its own basic skills proficiency for these credentials and shall arrange for those individuals to be assessed. The basic skills proficiency criteria established by the governing board shall be at least equivalent to the test required by the district, or in the case of a consortium or a joint powers agreement, by any of the participating districts, for graduation from high school. The governing board or boards may charge a fee to individuals being

tested to cover the costs of the test, including the costs of developing, administering, and grading the test.

(k) This section does not require the holder of an adult education designated subject credential for other than academic subjects, who is employed in an instructional setting for 20 hours or less per week, to pass the state proficiency assessment as a condition of employment.

(*l*) This section does not require certificated personnel employed under a foreign exchange program to take the state basic skills proficiency test. The maximum period of exemption under this subdivision shall be one year.

(m) Notwithstanding any other provision of law, a school district may hire a certificated teacher who has not taken the state basic skills proficiency test if that person has not yet been afforded the opportunity to take the test. The person shall take the test at the earliest opportunity and may remain employed by the district pending the receipt of his or her test results.

SEC. 4. Section 69612 of the Education Code is amended to read:

69612. (a) The Legislature finds and declares all of the following:

(1) There is a growing shortage of high-quality classroom teachers, and there is a need for qualified teachers throughout California.

(2) A quality teacher is one of the most important elements in the success of a pupil.

(3) The teacher shortage is most serious in particular subject areas, partly due to the shortage of students in these fields who enter the teaching profession.

(4) Many school districts have difficulty recruiting and retaining high-quality teachers for high-priority schools, for pupils with special needs, for schools serving rural areas or large populations of pupils from low-income and linguistic minority families, and for schools with a high percentage of teachers holding emergency permits.

(5) The rising costs of higher education, coupled with a shift in available financial aid from scholarships and grants to loans, make loan repayment options an important consideration in a student's decision to pursue a postsecondary education.

(6) The availability of financial aid and loan repayment assistance are important considerations for many students, especially economically disadvantaged students, in making their educational decisions.

(b) It is, therefore, the intent of the Legislature that all of the following occur:

(1) The Assumption Program of Loans for Education be designed to encourage persons to enter into the teaching profession in designated subject matter shortage areas and in schools serving large populations of pupils from low-income families, schools serving rural areas, schools with a high percentage of teachers holding emergency permits, or schools with any or all of these characteristics.

(2) That the enactment of this article accomplish all of the following:

(A) Providing outstanding postsecondary students, particularly economically disadvantaged students, with the assurance of financial assistance to encourage them to complete postsecondary education programs leading to teaching credentials, and to seek employment as teachers.

(B) Identifying subject matter areas or schools in which there are shortages of fully credentialed teachers and provide incentives for persons to obtain teaching credentials and seek teaching positions in those areas.

(C) Identifying schools serving rural areas, schools serving large populations of students from low-income families, or both, and schools with a high percentage of teachers holding emergency permits, and provide incentives for persons to obtain teaching credentials and seek teaching positions in those schools.

(D) Identifying high-priority schools and provide incentives for persons to obtain teaching credentials and seek teaching positions in those schools. For the purposes of this article, “high-priority school” means a school ranked in deciles 1 to 3, inclusive, of the Academic Performance Index rankings established pursuant to subdivision (a) of Section 52056 at the time that a teacher is hired.

(3) Commencing with the 2000–01 school year, all persons eligible to enter into agreements for loan assumption pursuant to this article shall be persons who need to complete training or coursework in order to be fully credentialed, and who agree to

obtain a credential and teach in a designated subject matter shortage area or in a school that, at the time that the teacher is hired, meets any of the following criteria:

(A) Serves a large population of pupils from low-income families.

(B) Has a high percentage of teachers holding emergency permits. For purposes of this article, a school with a "high percentage of teachers holding emergency permits" is a school in which 20 percent or more of the teachers hold emergency permits, teach pursuant to waivers of credential requirements, or are interns.

(C) Is a high-priority school.

(4) Funding necessary for the administration of this article shall be included within the annual budget of the commission in an amount necessary to meet the student loan obligations incurred by the commission.

SEC. 5. Section 69613 of the Education Code is amended to read:

69613. (a) (1) Any person enrolled in an eligible institution may be eligible to enter into an agreement for loan assumption, to be redeemed pursuant to Section 69613.2 upon becoming employed as a teacher. In order to be eligible to enter into an agreement for loan assumption, an applicant shall satisfy all of the conditions specified in subdivision (b).

(2) As used in this article, "eligible institution" means a postsecondary institution that is determined by the Student Aid Commission to meet both of the following requirements:

(A) The institution is eligible to participate in state and federal financial aid programs.

(B) The institution maintains a program of professional preparation that has been approved by the Commission on Teacher Credentialing.

(b) (1) The applicant has completed at least 60 semester units, or the equivalent, and is enrolled in an academic program leading to a baccalaureate degree at an eligible institution or has been admitted to a program of professional preparation that has been approved by the Commission on Teacher Credentialing.

(2) The applicant is currently enrolled, or has been admitted to a program in which he or she will be enrolled on at least a half-time basis, as determined by the participating institution.

The applicant shall agree to maintain satisfactory academic progress and a minimum of half-time enrollment, as defined by the participating eligible institution.

(3) The applicant has been judged by his or her postsecondary institution to have outstanding ability on the basis of criteria that may include, but need not be limited to, any of the following:

(A) Grade point average.

(B) Test scores.

(C) Faculty evaluations.

(D) Interviews.

(E) Other recommendations.

(4) The applicant has received, or is approved to receive, a loan under one or more of the following designated loan programs:

(A) The Federal Family Education Loan Program (20 U.S.C. Sec. 1071 et seq.).

(B) Any loan program approved by the Student Aid Commission.

(5) The applicant has agreed to teach full time for at least four consecutive academic years after obtaining a teaching credential in a public elementary or secondary school in this state, in a subject area that is designated as a current or projected shortage area by the Superintendent of Public Instruction, or at a school that, at the time that the teacher is hired, meets any of the following criteria:

(A) It serves a large population of pupils from low-income families, as designated by the Superintendent of Public Instruction.

(B) It has 20 percent or more teachers holding emergency permits. For purposes of this paragraph, "teachers holding emergency permits" includes persons who teach pursuant to waivers of credential requirements or who are interns.

(C) It is a high-priority school.

(c) No applicant who has completed fewer than 60 units, or the equivalent, shall be eligible under this section to participate in the loan assumption program set forth in this article.

(d) The agreements entered into each year pursuant to subdivision (b) at each eligible institution or participating school district or county office of education shall be with applicants who meet the criteria specified in paragraph (3) of subdivision (b) of

Section 69612 or agree to teach in any of the subject areas listed pursuant to that section. An agreement shall remain valid even if the subject area under which an applicant becomes eligible to enter into an agreement ceases to be a designated shortage field by the time the applicant becomes a teacher.

(e) For purposes of calculating eligible years of teaching for the redemption of an award, the designation by the Superintendent of Public Instruction of a newly-opened school pursuant to Section 52056 shall apply retroactively from the time of opening the school.

(f) A person participating in the program pursuant to this section shall not enter into more than one agreement.

SEC. 6. Section 70000 of the Education Code is amended to read:

70000. (a) (1) The Governor's Teaching Fellowships Program is hereby established to be administered by the Chancellor of the California State University with the advice of the intersegmental review committee established pursuant to Section 70002. The chancellor shall collaborate with the University of California, the California Community Colleges, the Association of Independent California Colleges and Universities, the State Department of Education, and the Commission on Teacher Credentialing to ensure that access to the fellowships is available to students in a variety of teaching preparation programs.

(2) The Legislature finds and declares that, as of January 1, 2007, the program established by this article shall be restructured by the act that adds this paragraph, but, pursuant to Section 70005, the Chancellor of the California State University shall retain the authority to enforce the conditions of awards made prior to January 1, 2007.

(b) Commencing with the 2007–08 fiscal year and for each fiscal year thereafter, the number of fellowships awarded under this program shall be determined pursuant to an appropriation in the annual Budget Act for this purpose. These fellowships shall be awarded as follows:

(1) Eight thousand dollars ($8,000) shall be disbursed, pursuant to regulations established by the Chancellor of the California State University, to candidates who are enrolled in,

and scheduled to complete, a teacher certification program at an accredited postsecondary educational institution in California.

(2) Three thousand dollars ($3,000) shall be disbursed in the first school year that the qualified teacher teaches in a high-priority school pursuant to subdivision (a) of Section 70003. Four thousand dollars ($4,000) shall be disbursed to the qualified teacher in the second school year, and five thousand dollars ($5,000) shall be disbursed in the third school year.

(3) Each annual stipend shall be disbursed pursuant to regulations established by the Chancellor of the California State University.

SEC. 7. Section 70001 of the Education Code is amended to read:

70001. (a) The Chancellor of the California State University shall have the following duties:

(1) Developing an application process that establishes a merit-based fellowship program for graduate students who agree to teach at a high-priority school for three years.

(2) Establishing a broad and effective outreach effort to promote the availability and the merits of the fellowship program.

(3) Conducting the selection process for fellowship applicants.

(4) Developing and implementing a system for disbursing annual stipends and monitoring program participants through the completion of their three-year teaching obligation.

(5) Determining the criteria for selecting teaching fellowship candidates. The criteria shall include, at a minimum, all of the following:

(A) Previous academic and employment record.

(B) A demonstrated commitment to serve in a high-priority school.

(C) Evaluations from faculty, employers, or both.

(D) Interviews.

(E) Letters of recommendation.

(b) For purposes of this article, a “high-priority school” is a school ranked in deciles 1 to 3, inclusive, of the Academic Performance Index (API) rankings established pursuant to subdivision (a) of Section 52056. If a school meets this criteria at the time a teacher is hired, continued employment of the teacher

at that school fulfills the commitment made by the teacher, even if the school improves its rank on the (API).

SEC. 8. Section 70002 of the Education Code is amended to read:

70002. An intersegmental review committee is hereby established to review all applications for the Governor's Teaching Fellowships, and to advise the Chancellor of the California State University on the needs of fellowship recipients who are students in segments other than the California State University. The committee shall recommend teaching fellowship candidates to the Chancellor of the California State University. The committee shall consist of nine members, appointed by the Governor to a term of four years, based on recommendations as follows:

(a) The Chancellor of the California State University shall recommend three members. One shall be a faculty member. One shall be an administrator from either higher education or schools maintaining kindergarten or any of grades 1 to 12, inclusive. One shall be a teacher from a school maintaining kindergarten or any of grades 1 to 12, inclusive.

(b) The President of the University of California shall recommend three members. One shall be a faculty member. One shall be an administrator from either higher education or schools maintaining kindergarten or any of grades 1 to 12, inclusive. One shall be an elementary or secondary teacher.

(c) The President of the Association of Independent California Colleges and Universities shall recommend three members. One shall be a faculty member. One shall be an administrator from either higher education or schools maintaining kindergarten or any of grades 1 to 12, inclusive. One shall be an elementary or secondary teacher.

SEC. 9. Section 70003 of the Education Code is amended to read:

70003. (a) A fellowship recipient shall agree to teach in a high-priority school for three consecutive years and shall have four years, upon completion of his or her preparation program, to meet that obligation. Notwithstanding Section 70005, the recipient of a fellowship under this article on or after January 1, 2007, shall not be assessed a civil penalty or required to repay funds awarded under this article to the state, but shall forfeit

future payments if he or she fails to complete any portion of his or her obligation to teach in a high-priority school for three consecutive years.

(b) Nonperformance of the commitment to teach in a high-priority school for three consecutive years shall be certified by the California State University.

(c) Any exceptions to the requirement for repayment shall be defined by the chancellor's office.

SEC. 10. Section 70004 of the Education Code is amended to read:

70004. The Chancellor of the California State University shall submit an annual report to the Legislature on the number of fellows receiving funding, the number of fellows completing credential programs and their three-year teaching obligations, the place of employment for each candidate, and anonymous evaluation by school principals of the effectiveness and impact of fellows under their supervision on pupils.

SEC. 11. Section 70005 of the Education Code is amended to read:

70005. (a) The Chancellor of the California State University shall adopt any rules and regulations he or she deems necessary for the recovery of funds he or she determines are owed to the state by a person who received funds under this program prior to January 1, 2007. The rules and regulations adopted by the chancellor pursuant to this section shall also include a provision authorizing the chancellor to seek a civil penalty against a person who received funds under this program prior to January 1, 2007, in an amount not to exceed five thousand dollars ($5,000) per year for each year that the recipient of funds is determined by the Commission on Teacher Credentialing to have failed to fulfill his or her obligation to teach in a high-priority school.

(b) Any moneys derived from the assessment of penalties pursuant to this section shall be deposited into the General Fund.

SEC. 12. Article 5 (commencing with Section 90540) is added to Chapter 11 of Part 55 of the Education Code, to read:

Article 5. California Teacher Cadet Program

90540. The California Teacher Cadet Program is hereby established, and shall be operated by the California Center on

Teaching Careers in conjunction with the Superintendent of Public Instruction and the Chancellor of the California State University. The program is established for the purpose of introducing public secondary school pupils to the teaching profession. The main purpose of the program is to encourage high school pupils who possess a high level of academic achievement and the personality traits found in good teachers to consider a career in teaching.

90541. (a) The Chancellor of the California State University shall convene an advisory committee, consisting of appropriately qualified high school and college faculty and administrators, as selected by the chancellor pursuant to subdivision (b) to accomplish both of the following:

(1) To develop a common core curriculum designed to expose pupils to teaching careers and the education system through the development of a hands-on curriculum that includes all of the following elements:

(A) Classroom discussions led by the supervising teacher at the high school.

(B) Hands-on activities designed to excite pupils about teaching.

(C) Observation and participation in public school classrooms.

(D) Interaction with successful administrators and teachers.

(E) Opportunities for high school pupils to participate in classrooms by tutoring, interning, and observing classroom teaching.

(2) To develop criteria and standards that will be used to create a request-for-proposal for the competitive grant program that would be established under Article 5.5 (commencing with Section 90545) by accomplishing all of the following:

(A) Determining the appropriate number of partnership schools for participation in the program with a university campus of a particular size.

(B) Defining the shared program responsibilities of the partnership school and the university campus.

(C) Estimating the amount of startup funding that is necessary for the implementation of the program.

(D) Determining the length of the commitment to be made by an institution participating in the program.

(E) Defining other components and standards of the program as the advisory committee deems appropriate.

(b) The chancellor shall select the membership of the advisory committee established under this section. The membership of the advisory committee shall include, but not necessarily be limited to, representatives of both of the following:

(1) Administrators and faculty from public elementary or secondary schools, chosen from lists, provided by the State Department of Education, of faculty and administrators with experience in working at partnership schools.

(2) Teacher training faculty or administrators from each of the following: the University of California, the California State University, and at least one college or university that is a member of the Association of Independent California Colleges and Universities. Each person selected under this paragraph shall have experience with partnerships between elementary or secondary schools and institutions of higher education.

(c) On or before May 1, 2007, the chancellor shall submit to the Legislature and the Governor a report that includes the findings and recommendations of the advisory committee with respect to the competitive grant program established under Article 5.5 (commencing with Section 90545).

90542. A school district that participates in the California Teacher Cadet Program shall receive, from funds appropriated for that purpose, a one-time grant of up to one thousand five hundred dollars ($1,500) for the startup of the program at its schoolsite that will fund the purchase of materials and the development of tutoring, internship, and observation options for the high school pupils enrolled in the California Teacher Cadet Program.

90543. Subject to the availability of funding, the California State University shall contract for an evaluation of this program, and shall report to the Legislature no later than January 1, 2010. The evaluation should include interviews with program participants, high school teachers and counselors, and supervising teachers who interact with cadets regarding their views on the value of the program and whether participation in the California Teacher Cadet Program has been instrumental in encouraging the selection of teaching as a career. The program shall make available an aggregate report of this information after

each year. This report shall include, but not necessarily be limited to, a description of any actions taken as a result of this feedback to continually strengthen and improve the program's effectiveness.

90544. This article shall remain in effect only until January 1, 2015, and as of that date is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2015, deletes or extends that date.

SEC. 13. Article 5.5 (commencing with Section 90545) is added to Chapter 11 of Part 55 of the Education Code, to read:

Article 5.5. Competitive Grant Program for Partnership Schools and Institutions of Higher Education

90545. (a) It is the intent of the Legislature to create a competitive grant program for institutions of higher education to collaborate with schools and local educational agencies in order to create and implement professional development schools for teacher education. The criteria for grant program awards shall include all of the following:

(1) Preference for projects that incorporate, into their plans, schools that include any or all of kindergarten and grades 1 to 12, inclusive, and that are ranked in deciles 1 to 3, inclusive, of the Academic Performance Index.

(2) Novice teachers shall be offered extensive hands-on experience in the classroom alongside experienced teachers, exposure to demonstration teachers, and consistent ongoing contact with informal mentors.

(3) Preference for projects that share the responsibility for new teacher education by highlighting the collaboration between the faculty of institutions of higher education and the personnel of any school that includes any or all of kindergarten and grades 1 to 12, inclusive.

(b) It is the intent of the Legislature to include an appropriation of three million dollars ($3,000,000) in the Budget Act of 2007 for the purposes of the competitive grant program that would be established under this article.

SEC. 14. (a) The sum of four hundred seventy-five thousand dollars ($475,000) is hereby appropriated from the General Fund for the 2006–07 fiscal year to be allocated as follows:

(1) Twenty-five thousand dollars ($25,000) to the State Department of Education for administrative costs associated with the allocation of startup grants to school districts for the California Teacher Cadet Program specified in Section 90540.

(2) One hundred fifty thousand dollars ($150,000) to the California State University for curriculum and program development assistance and outreach services related to the California Teacher Cadet Program, and for convening the advisory committee and submitting the report pursuant to Section 90541 of the Education Code.

(3) Three hundred thousand dollars ($300,000) to the State Department of Education for allocation to school districts for the purposes associated with the startup costs of the California Teacher Cadet Program in up to 200 schoolsites statewide.

(b) For purposes of making computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by paragraph (3) of subdivision (a) shall be deemed to be "General Fund revenues appropriated to school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2006–07 fiscal year, and shall be included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2006−07 fiscal year.

Approved _____, 2006

_____

Governor