

Assembly Bill No. 351

CHAPTER 934

An act to amend Section 44300 of, and to add Article 5.6 (commencing with Section 44305) to Chapter 2 of Part 25 of, the Education Code, relating to teacher credentialing.

[Approved by Governor October 12, 1997. Filed with Secretary of State October 12, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

AB 351, Scott. Teacher credentialing.

Existing law authorizes the Commission on Teacher Credentialing (commission) to issue or renew emergency teaching or specialist permits provided certain conditions are met. Existing law requires a person holding an emergency teaching or specialist permit to attend an orientation to the curriculum and to techniques of instruction and classroom management, and to teach only with the assistance and guidance of a certificated employee of the district who has completed at least 3 years of full-time teaching experience or the equivalent thereof. Existing law requires the commission to issue district intern certificates authorizing persons employed by any school district that maintains kindergarten and grades 1 to 12, inclusive, or that maintains classes in bilingual education to provide classroom instruction to pupils in those grades and classes. Existing law, the Teacher Education Internship Act of 1967, authorizes a school district, in cooperation with an approved college or university to establish a teacher education internship program.

This bill would establish the Pre-Internship Teaching Program, and authorize the commission as resources, as specified, are available to school districts, to issue a pre-intern teaching certificate instead of an emergency multiple subjects permit to an individual who meets the minimum requirements set by the commission. The bill would authorize the commission, when resources remain after funding pre-interns pursuing a multiple subject emergency credential, to issue a pre-intern teaching certificate instead of an emergency single subject permit to an individual who is employed by a school district approved by the commission and meets the minimum requirements set by the commission. A pre-intern teaching certificate would be valid for one year and would be renewable, as specified. The minimum requirements for the pre-intern teaching certificate would be required to include a baccalaureate or higher degree, as specified, passage of the basic skills proficiency test, and a specified number of units in the subject to be taught.

Cited in *Reese v. Duncan*,
No. 08-16661 archived on August 7, 2009



This bill would require the commission to establish criteria for the approval of pre-internship teaching programs, as specified. This bill would require the commission to evaluate the Pre-Internship Teaching Program, as specified, and report its findings to the Legislature and the Legislative Analyst by October 1, 2001.

This bill would provide that funding for administering the Pre-Internship Teaching Program by the commission is contingent upon an appropriation in the annual Budget Act or other act. The bill would state the intent of the Legislature that specified federal funding provided to the State Department of Education and the Commission on Teacher Credentialing be adjusted to provide direct funding for the Commission on Teacher Credentialing for the purposes of the Pre-Internship Teaching Program and the California Paraprofessional Teacher Training Program. The bill would declare that the State Department of Education shall be held harmless for any fiscal penalty exacted by the federal government for the expenditures made by local education agencies or for state operations if funds are provided for this program from the federal Goals 2000: Educate America Act (P.L. 103-227) and the program does not meet the requirements of that federal act.

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

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

(1) Approximately 100,000 teachers are employed in the elementary schools of the state.

(2) Approximately 1,100 of these teachers are in paid internships and receive systematic support and training as they advance toward full certification.

(3) In the 1995-96 school year, over 2,400 elementary teachers held emergency permits only. Most of these teachers have little experience and no preparation for their teaching responsibilities.

(4) As a result of the implementation of the Class Size Reduction program in the 1996-97 school year, the number of teachers with emergency permits in elementary classrooms is expected to reach 8,000 or more.

(5) Most of the unprepared and untrained teachers with emergency permits are employed in urban schools where pupils need the best trained and most effective teachers.

(6) As a general rule, teachers with emergency permits get very little training or support from the schools that employ them, in part because there are no resources directed to help this group of teachers. As a consequence, between 35 percent and 40 percent of all teachers with emergency permits in both elementary and secondary schools do not teach beyond the first year.

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(b) The Legislature recognizes that the success of programs like the Class Size Reduction Program in the primary grades is dependent on the quality of the teachers who work in the schools.

(c) Therefore, it is the intent of the Legislature that all of the following occur:

(1) The commission examine the feasibility of better preparing and retaining pre-interns by providing them with early, focused, and intensive preparation in the subject matter they are assigned to teach and development in classroom management, pupil discipline, and basic instruction methodologies, and by assisting pre-interns to progress into a teacher internship program as expeditiously as possible.

(2) The innovation of replacing the emergency permit system with intensive pre-intern preparation and development be implemented through a process involving the granting of competitive grants to school districts.

(3) Regular reports be provided to the Legislature regarding the impact of the Pre-Internship Teaching Program, including a final report regarding whether the program should be continued, modified, or discontinued.

(d) Further, the Legislature recognizes that the success of a local program to assist in the development of unprepared and untrained teachers requires the cooperation and participation of governing boards, school administrators and the elected representatives of teachers.

(e) Therefore, it is also the intent of the Legislature that representatives of school boards, school administrators, and classroom teachers participate in the development and implementation of any program created to assist in the development of unprepared and untrained teachers.

SEC. 2. Section 44300 of the Education Code is amended to read:

44300. (a) Commencing January 1, 1990, the Commission may issue or renew emergency teaching or specialist permits in accordance with regulations adopted by the commission corresponding to the credential types specified in paragraphs (1), (2), and (3) of subdivision (b) of Section 44225, provided that all of the following conditions are met:

(1) The applicant possesses a baccalaureate degree conferred by a regionally accredited institution of higher education and has fulfilled the subject matter requirements of Section 44301.

(2) The applicant passes the state basic skills proficiency test as provided for in Section 44252.

(3) The commission approves the justification for the emergency permit submitted by the school district in which the applicant is to be employed. The justification shall include all of the following:

(A) Documentation that the district has made a diligent search for, but has been unable to recruit, a sufficient number of certificated

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teachers, including teacher candidates pursuing full certification through internship, district internship, or other alternative routes established by the commission.

(B) A declaration of need for fully qualified educators based on the documentation set forth in subparagraph (A) and made in the form of a motion adopted by the governing board of the district or the county board of education at a regularly scheduled meeting of the governing board or the county board of education. The motion may not be part of the consent agenda and shall be entered in the minutes of the meeting.

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

(1) The commission shall issue pre-intern certificates in place of emergency teaching permits as sufficient resources are made available to school districts to provide services pursuant to Article 5.6 (commencing with Section 44305) to pre-interns pursuing multiple subject or single subject teaching credentials.

(2) If the examination of the Pre-internship Teaching Program required by this chapter demonstrates that the program should continue because it has been successful in better preparing and retaining pre-intern teachers than the emergency permit system, sufficient resources to fully fund the Pre-Internship Teaching Program shall be appropriated by July 2002. For purposes of this paragraph, two thousand dollars (\$2,000) in state funding per pre-intern shall be deemed to be sufficient resources.

(3) The commission shall continue to issue emergency teaching permits to individuals employed by school districts defined in regulations as remote from regionally accredited institutions of higher education.

(c) Commencing January 1, 1990, the commission may issue and reissue emergency permits corresponding to the credential types specified in paragraph (4) of subdivision (b) of Section 44225. The commission shall establish appropriate standards for each type of emergency permit specified in paragraph (4) of subdivision (b) of Section 44225.

(d) The exclusive representative of certificated employees, if any, as provided under Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, may submit a written statement to the commission agreeing or disagreeing with the justification submitted to the commission pursuant to paragraph (3) of subdivision (a).

(e) Commencing January 1, 1990, a person holding an emergency teaching or specialist permit shall attend an orientation to the curriculum and to techniques of instruction and classroom management, and shall teach only with the assistance and guidance of a certificated employee of the district who has completed at least three years of full-time teaching experience, or the equivalent thereof. It is the intent of the Legislature to encourage districts to

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provide directed teaching experience to new emergency permitholders with no prior teaching experience.

(f) The holder of an emergency permit shall participate in ongoing training, coursework, or seminars designed to prepare the individual to become a fully credentialed teacher or other educator in the subject area or areas in which he or she is assigned to teach or serve. The employing agency shall verify that employees applying to renew their emergency permits are meeting these ongoing training requirements.

(g) Emergency permits for pupil personnel services shall not be valid for the purpose of determining pupil eligibility for placement in any special education class or program.

(h) This section shall not apply to the issuance of an emergency substitute teaching permit, or of an emergency permit to a teacher who has consented to teach temporarily outside of his or her field of certification, for which the commission shall establish minimum requirements.

SEC. 3. Article 5.6 (commencing with Section 44305) is added to Chapter 2 of Part 25 of the Education Code, to read:

Article 5.6. California Pre-Internship Teaching Program

44305. (a) As resources are available to school districts to provide services to any pre-intern pursuant to this article, the commission may issue a pre-intern teaching certificate instead of an emergency multiple subjects permit to an individual employed by a school district approved by the commission who meets the minimum requirements set by the commission. When resources remain after funding pre-interns pursuing multiple subject emergency permits, the commission may issue a pre-intern teaching certificate instead of an emergency single subject permit to an individual employed by a school district approved by the commission who meets the minimum requirements set by the commission. In implementing the Pre-Internship Teaching Program, the commission shall consult with representatives of the State Department of Education, classroom teachers, school administrators, other school employees, parents, school board members, and institutions of higher education.

(b) The pre-intern teaching certificate issued by the commission shall be valid for one year, but may be renewed for one additional year if the holder takes the appropriate subject matter examination required under Section 44282. A pre-intern teacher who passes the subject matter examination in the first or second year of his or her pre-intern teaching shall enroll in a district or university teaching internship or other approved university teaching credential program. A pre-intern teaching certificate may be renewed for a third year if the employing school district, the cooperating college or university, and the pre-intern support the application for renewal.

Cited in *Renewed*, *Public*
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(c) The minimum requirements for the pre-intern teaching certificate established by the commission shall include all of the following:

(1) A baccalaureate or higher degree conferred by a regionally accredited institution of higher education.

(2) Passage of the basic skills proficiency test as provided for in Section 44252.

(3) The number of units, as set by the commission, in the subject to be taught.

(d) The commission shall establish criteria for the approval of pre-intern teaching programs. The criteria shall include, but is not limited to, all of the following:

(1) Demonstrated need, as indicated by the percentage of teachers in the district that have not completed basic credential requirements pursuant to state law.

(2) The quality of the preparation, support, and assistance to be provided to teaching pre-interns.

(3) Cost effectiveness, including the number of pre-interns to be served.

(4) Collaboration between district administrators and experienced teachers with permanent status in the development of the plan.

(5) District and college or university collaboration to ensure availability of courses needed by pre-intern teachers.

(6) Pre-intern preparation content, including lesson planning, classroom management and organization, and a schedule for delivering the preparation, with a focus on beginning the preparation before or during the first semester of the pre-internship.

(7) The role of personnel, including experienced teachers with permanent status, in the delivery of pre-intern preparation and support.

(8) That no later than the second year of employment the program for each pre-intern shall reflect the California Standards for the Teaching Profession jointly developed by the commission and the State Department of Education.

(9) Approval of the district plan by the governing board of the school district.

(e) In establishing criteria for review of pre-intern teaching programs pursuant to subdivision (d), the commission shall make every effort to recognize effective district programs for the support and development of emergency permit teachers in operation before July 1, 1998, as meeting the pre-intern teaching program criteria.

(f) A school district may apply to the commission for funding under this article. Based on the criteria in subdivision (d), developed pursuant to the consultation process required by subdivision (a), the commission shall determine which applicants are approved for funding. If funds are provided for this act from the federal Goals 2000:

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Educate America Act (P.L. 103-227), the commission shall transmit a list of approved applicants to the State Department of Education which shall award grants in a timely manner exclusively to those school districts that the commission has approved for funding, in the amounts listed, with no school district receiving more than two thousand dollars (\$2,000) per pre-intern employed by the school district.

44306. The commission shall submit an interim report to the Legislature and the Legislative Analyst no later than October 1, 2000, and a final report no later than October 1, 2001, to include the following information regarding the Pre-Internship Teaching Program:

(1) The number of participating school districts and pre-intern teachers served.

(2) The impact of the program on decreasing the number of emergency permits issued.

(3) The retention rates of pre-intern teachers, as compared to the retention rates of emergency permitholders.

(4) The success rates of pre-intern teachers, by year of participation in the program, in meeting requirements for subject matter knowledge required by law.

(5) Assessments by pre-interns of the effectiveness of the pre-intern preparation, support and assistance provided.

(6) A description of in-kind contributions to the pre-intern teaching program provided by participating school districts.

(7) Recommendations regarding whether the Pre-Internship Teaching Program should be continued, modified, or discontinued, including reasons for those recommendations.

44307. This article shall be known and may be cited as the Pre-Internship Teaching Program.

44307.5. The commission shall not require any school district to provide pre-internship services to any individual holding an emergency substitute teaching permit, any teacher who has completed most of the requirements for a preliminary teaching credential, or any teacher who holds a limited assignment emergency permit as a result of consenting to teach temporarily outside of his or her field of certification.

44308. (a) Funding for the purposes of administering the program established pursuant to this article is contingent upon an appropriation in the Budget Act or other act when specified.

(b) It is the intent of the Legislature that federal funding provided to the State Department of Education and the Commission on Teacher Credentialing in Item 6110-001-0890 and 6360-001-0407 be adjusted to provide direct funding for the Commission on Teacher Credentialing for the purposes of the Pre-Internship Teaching Program and the California Paraprofessional Teacher Training

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Program. The Department of Finance shall make any such adjustments using authority of Section 1.50 of the Budget Act of 1997.

(c) If funds are provided for this act from the federal Goals 2000: Educate America Act (P.L. 103-227) and if the provisions of this article do not meet the requirements of that federal act, the State Department of Education shall be held harmless for any fiscal penalty exacted by the federal government for the expenditures made by local education agencies or for state operations.

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