

CLIENT NEWS BRIEF

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**GOVERNOR SIGNS BILL REGARDING EMERGENCY CREDENTIALS,
THE CBEST EXAM AND NEW TEACHER PROGRAMS**

Senate Bill 1186 (“SB 1186”), recently enacted into law, makes several changes in the area of emergency credentials, the California Basic Educational Skills Test (“CBEST”) and programs designed to recruit and assist new teachers. These amendments took effect January 1, 2009.

Priorities for Recruiting Candidates Who Are Not Fully Credentialed

Under existing law, school districts that are unable to recruit fully credentialed teachers may receive a waiver from the California Commission on Teacher Credentialing (“CTC”) to hire candidates that are not fully credentialed. However, Education Code section 44225.7 requires that districts recruit certain candidates before others. SB 1186 revises section 44225.7 to provide that districts must recruit candidates who are qualified to participate and enroll in an approved internship program in the school district’s region before recruiting candidates who are scheduled to complete preliminary credential requirements within six months. Previously, candidates scheduled to complete credential requirements within six months were given preference over interns. The purpose for this change was to align California law with the requirements of the federal No Child Left Behind Act of 2001.

Exemptions From the CBEST Exam

The CTC is prohibited from initially issuing a credential, permit, certificate, or renewal of an emergency credential unless the applicant has passed the CBEST exam or is otherwise exempt. SB 1186 revises Education Code sections 44252 and 44830 to exempt applicants who achieve scores on the SAT, ACT, or California State University (“CSU”) Early Assessment program that are sufficient to waive the English placement test and the entry level mathematics examination administered by CSU. SB 1186 also exempts eminence credential applicants and holders of career technical education teaching credentials.

In addition, the bill does the following:

- deletes the requirement that the State Superintendent of Public Instruction establish passing scores for the GRE, ACT and SAT that would be substituted for a passing score on the CBEST exam;
- extends the authority to hire a teacher who has not been afforded the opportunity to take the CBEST exam to county offices of education, and expands this exemption from “certificated teachers” to “certificated personnel”; and

- makes technical changes and deletes obsolete provisions regarding the CBEST exam and holders of specified designated subjects credentials.

Alternative Certification Program Grants

Existing law establishes grants for alternative certification programs, which are designed to address shortages in geographic areas and certain subject matters and are targeted toward people with work experience and others who have bachelor's degrees in the field in which they plan to teach. By amending Education Code sections 44380 and 44385, SB 1186 modifies the grant criteria to require school districts to demonstrate the need for more fully prepared credentialed teachers, the number of credentialed teachers with at least a preliminary or level 1 credential at each schoolsite where interns will be assigned, and the capacity of the grantee to provide mentoring support and assistance to interns. Further, the bill removes technology from the list of subject matter shortages and adds special education to that list. In addition, geographic distribution is no longer a valid criterion for selecting grantees.

Certificated Staff Mentoring Program

Existing law establishes the Certificated Staff Mentoring Program (Education Code section 44561 et seq.), which encourages experienced teachers to teach in staff priority schools and assist teacher interns during their induction and first years of teaching. A "staff priority school" is defined in Education Code section 44561, subdivision (d) as a school with an aggregate API score at or below the 30th percentile in any of the five previous school years, or a juvenile court school, county community school, or community day school operated by a county office of education. SB 1186 revises the Education Code to provide that mentors in the Certificated Staff Mentoring Program must assist candidates in alternative certification programs before assisting teachers in a Beginning Teacher Support and Assessment program. SB 1186 also expands the purpose of the program to include encouraging experienced teachers to assist beginning teachers and authorizes districts to assign mentors as certificated staff mentors.

If you have any questions regarding SB 1186, the changes it makes to existing law, or teacher credentialing in general, please contact one of our seven offices located statewide.

As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.

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Written by Travis Lindsey (tlindsey@lozanosmith.com), an associate in the Sacramento office; and Namita Brown (nbrown@lozanosmith.com), a shareholder in the San Ramon office and co-chair of our Labor and Employment Practice Group.