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SB-1263 Teacher credentialing: teaching performance assessment: workgroup. (2023-2024)

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Senate Bill No. 1263

CHAPTER 889

An act to amend Section 44320.2 of, and to add Sections 44221.1, 44320.4, and 44320.5 to, the Education Code, relating to teacher credentialing, and making an appropriation therefor.

[Approved by Governor September 28, 2024. Filed with Secretary of State September 28, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1263, Newman. Teacher credentialing: teaching performance assessment: workgroup.

Existing law requires the Commission on Teacher Credentialing to, among other duties, establish standards for the issuance and renewal of credentials. Existing law requires, as a minimum requirement for a preliminary multiple subject, single subject, or education specialist teaching credential, the satisfactory completion of a program of professional preparation that includes a teaching performance assessment that meets specified requirements and has been approved by the commission, as provided. Existing law requires a program of professional preparation to include a teaching performance assessment that is aligned with the California Standards for the Teaching Profession and that is congruent with state content and performance standards for pupils adopted by the State Board of Education. Existing law requires the commission, subject to the availability of funds in the annual Budget Act, to perform specified duties with respect to the performance assessment. Existing law also requires the performance assessment results to be reported so that they may serve as one basis for a recommendation by the program sponsor that the commission award a teaching credential to a candidate who has successfully met the performance assessment standards. Existing law also requires the commission, by July 1, 2025, to ensure that an approved teaching performance assessment for a preliminary multiple subject credential and for a preliminary education specialist credential assesses all candidates for competence in instruction in literacy, including, but not limited to, evidence-based methods of teaching foundational reading skills, as provided.

This bill would, subject to the availability of funds in the annual Budget Act, require the commission to report the number of programs of professional preparation with low pass rates and assist those programs to use evidence-based strategies to support candidates to pass the assessment. The bill would prohibit the charging of fees to candidates for these instructional supports. The bill would additionally require the commission to maintain a secondary passing standard for the performance assessment that may be used, with consideration of other evidence of the candidate's performance related to the California Standards for the Teaching Profession, for a program sponsor's recommendation of a candidate to the commission for a teaching credential.

The bill would require the commission to convene a workgroup composed of classroom teachers, teacher educators, and performance assessment experts, all selected by the commission, to assess the current design and implementation of the above-described teaching performance assessments, as provided. The bill would require the workgroup to develop recommendations concerning these assessments, as provided, to be presented to the commission by March 1, 2025, and would also require the commission to vote to adopt a set of recommendations by July 1, 2025, and implement the adopted recommendations by July 1, 2028. The bill would require the commission to report to the Legislature annually, beginning on October 15, 2025, and continuing

through October 15, 2028, on the progress of the workgroup in making its recommendations and actions taken by the commission to implement the recommendations it adopts.

Existing law establishes the Teacher Credentials Fund in the State Treasury, requires all fees collected by the commission for tests, examinations, or assessments to be deposited in the fund, and requires these funds to be expended, upon appropriation by the Legislature, for the development, agency support, maintenance, or administration of tests or other assessments established, required, or administered by the commission, unless otherwise authorized by the Legislature.

This bill would, for the 2024–25 fiscal year only, require the commission to submit to the Department of Finance a plan for using existing funds available from the Teacher Credentials Fund to support the operations of the above-described workgroup. The bill would require, upon approval of the plan by the Department of Finance, an amount not to exceed \$729,000 to be made available from the Teacher Credentials Fund to the commission for the operations of the workgroup, thereby making an appropriation.

Existing law requires the commission to appoint an executive director of the commission and exempts the executive director from the State Civil Service Act.

This bill would authorize the Governor to appoint one deputy to the executive director. The bill would exempt that deputy from state civil service, as provided.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 44221.1 is added to the Education Code, to read:

44221.1. (a) The Governor may appoint one deputy to the executive director of the commission. A deputy to the executive director appointed pursuant to this section shall be exempt from state civil service pursuant to subdivision (f) of Section 4 of Article VII of the California Constitution.

(b) It is the intent of the Legislature that appointments to the exempt position described in subdivision (a) do not result in an increase in the amount appropriated to the commission in the annual Budget Act or a net increase in the expenditures of the commission.

SEC. 2. Section 44320.2 of the Education Code is amended to read:

44320.2. (a) The Legislature finds and declares that the competence and performance of teachers are among the most important factors in influencing the quality and effectiveness of education in elementary and secondary schools.

(b) Commencing July 1, 2008, for a program of professional preparation to satisfy the requirements of paragraph (3) of subdivision (b) of Section 44259, the program shall include a teaching performance assessment that is aligned with the California Standards for the Teaching Profession and that is congruent with state content and performance standards for pupils adopted by the state board. In implementing this requirement, institutions or agencies may do the following:

(1) Voluntarily develop an assessment for approval by the commission. Approval of any locally developed performance assessment shall be based on assessment quality standards adopted by the commission, which shall encourage the use of alternative assessment methods including portfolios of teaching artifacts and practices.

(2) Participate in an assessment training program for assessors and implement the commission developed assessment.

(c) The commission shall implement the performance assessment in a manner that does not increase the number of assessments required for teacher credential candidates prepared in this state. A candidate shall be assessed during the normal term or duration of the preparation program of the candidate.

(d) Subject to the availability of funds in the annual Budget Act, the commission shall perform all of the following duties with respect to the performance assessment:

(1) Assemble and convene an expert panel to advise the commission about performance standards and developmental scales for teaching credential candidates and the design, content, administration, and scoring of the assessment. At least one-third of the panel members shall be classroom teachers in California public schools.

(2) Design, develop, and implement assessment standards and an institutional assessor training program for the sponsors of professional preparation programs to use if they choose to use the commission developed assessment.

(3) Establish a review panel to examine each assessment developed by an institution or agency in relation to the standards set by the commission and advise the commission regarding approval of each assessment system.

(4) Initially and periodically analyze the validity of assessment content and the reliability of assessment scores that are established pursuant to this section.

(5) Establish and implement appropriate standards for satisfactory performance in assessments that are established pursuant to this section.

(6) Analyze possible sources of bias in the performance assessment and act promptly to eliminate any bias that is discovered.

(7) Collect and analyze background information provided by candidates who participate in the performance assessment, and report and interpret the individual and aggregated results of the assessment.

(8) Examine and revise, as necessary, the institutional accreditation system pursuant to Article 10 (commencing with Section 44370), for the purpose of providing a strong assurance to teaching candidates that ongoing opportunities are available in each credential preparation program that is offered pursuant to Section 44320, Article 6 (commencing with Section 44310), Article 7.5 (commencing with Section 44325), or Article 3 (commencing with Section 44450) of Chapter 3 for candidates to acquire the knowledge, skills, and abilities measured by the assessment system.

(9) Ensure that the aggregated results of the assessment for groups of candidates who have completed a credential program are used as one source of information about the quality and effectiveness of that program. The commission shall report the number of programs with low pass rates and assist these programs to use evidence-based strategies to support candidates to pass the assessment for all administrations of the assessment. There shall be no fees to candidates for these instructional supports.

(e) The commission shall ensure that each performance assessment pursuant to subdivision (b) is state approved and aligned with the California Standards for the Teaching Profession and is consistently applied to candidates in similar preparation programs. The commission shall ensure that any approved performance assessment is compliant with this section and meets the commission standards for administration. To the maximum feasible extent, each performance assessment shall be ongoing and blended into the preparation program, and shall produce the following benefits for credential candidates, sponsors of preparation programs, and local educational agencies that employ program graduates:

(1) The performance assessment shall be designed to provide formative assessment information during the preparation program for use by the candidate, instructors, and supervisors for the purpose of improving the teaching knowledge, skill, and ability of the candidate.

(2) The performance assessment results shall be reported so that they may serve as one basis for a recommendation by the program sponsor that the commission award a teaching credential to a candidate who has successfully met the performance assessment standards. The commission shall maintain a secondary passing standard for the teaching performance assessment that may be used, with consideration of other evidence of the candidate's performance related to the California Standards for the Teaching Profession, for a program sponsor's recommendation of a candidate to the commission for a teaching credential.

(3) The formative assessment information pursuant to paragraph (1) and the performance assessment results pursuant to paragraph (2) shall be reported so that they may serve as one basis for the individual induction plan of the new teacher pursuant to Section 44279.2.

(f) It is the intent of the Legislature that assessments in accordance with paragraphs (1) and (2) of subdivision (b), including the administrative costs of the commission, be fully funded.

SEC. 3. Section 44320.4 is added to the Education Code, to read:

44320.4. (a) To ensure the teaching performance assessments described in Sections 44320.2 and 44320.3 are valid and authentic, formative in nature, embedded in preparation, and inform program improvement through the accreditation system, the commission shall convene a workgroup to assess current design and implementation of the state's current teaching performance assessments.

(b) The commission shall select classroom teachers, teacher educators, and performance assessment experts to form the workgroup described in subdivision (a). At least one-third of the workgroup members shall be classroom teachers in California public schools. The commission shall not appoint any person to the workgroup with a financial interest in any teacher licensure assessment. The commission shall consult with statewide labor organizations and other representative organizations for recommendations of workgroup members.

(c) The workgroup shall develop recommendations to be presented to the commission by March 1, 2025, and the commission shall vote to adopt a set of recommendations by July 1, 2025. Adopted recommendations shall be implemented by July 1, 2028. At a minimum, the recommendations from the workgroup shall include:

(1) An analysis of any modifications needed to current assessments to ensure they are valid and authentic to the work of teaching, reasonable to implement in the wide range of classroom settings across the state, and appropriate for beginning teachers.

(2) Recommendations for how programs might embed the assessments into coursework and clinical work to avoid duplicative work for candidates.

(3) Suggested questions for program completer surveys to understand candidate experience of programmatic support for assessment completion.

(4) Recommendations to strengthen the accreditation system to ensure programs embed the assessment in coursework and clinical work, offer sufficient clinical and pedagogical support, and support candidates to pass the assessment.

(5) Recommendations for how programs can engage in local scoring of the assessment to inform program improvement.

(d) Notwithstanding Section 10231.5 of the Government Code, the commission shall report to the Legislature annually, beginning on October 15, 2025, and through October 15, 2028, and in compliance with Section 9795 of the Government Code, on the progress of the workgroup in making its recommendations and actions taken by the commission to implement the recommendations it adopts.

(e) Meetings of the workgroup are subject to the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

SEC. 4. Section 44320.5 is added to the Education Code, to read:

44320.5. For the 2024–25 fiscal year only, the commission shall submit to the Department of Finance a plan for using existing funds available from the Teacher Credentials Fund to support the operations of the workgroup pursuant to Section 44320.4. Upon the approval of the plan by the Department of Finance, an amount not to exceed seven hundred twenty-nine thousand dollars (\$729,0000) shall be made available from the Teacher Credentials Fund to the commission for the operations of the workgroup convened pursuant to Section 44320.4.