



June 9, 2016

Introduction

June 3, 2016 marked a very important day for legislation introduced in 2016 because it was the last day that bills could be voted off the Floor in their House of origin. All three of CFT's sponsored bills, Assembly Bill 1690 (Medina), Assembly Bill 1878 (Jones-Sawyer) and Assembly Bill 2122 (McCarty), passed off of the Assembly Floor. They will now move on to be heard in their respective policy committees in the Senate. In addition, CFT's two co-sponsored bills, AB 2353 (McCarty) and Assembly Bill 2393 (Campos), passed off of the Assembly Floor on June 3, 2016 and May 19, 2016 respectively.

Currently, the Annual Budget bill is being debated in Conference Committee and must be passed by the Legislature on or before June 15, 2016 and signed by the Governor by midnight on June 30, 2016. The CFT has been working on a number of issues included in the Annual Budget, including the Governor's Early Education Block Grant, an appropriation for restoration funding for City College of San Francisco and an appropriation to fund the California Classified School Employee Credentialing Program (AB 2122).

This Legislative Update provides an overview of CFT's priority bills and policy issues, their current status and future hearings.

CFT-SPONSORED BILLS PASS OUT OF THEIR HOUSE OF ORIGIN

Community College Part-Time Faculty Collective Bargaining: Assembly Bill 1690 (Medina) would require those community college districts without a collective bargaining agreement with part-time, temporary faculty to commence negotiations to establish standards for the treatment of part-time, temporary faculty to be met by community college collective bargaining agreements, including, among other issues, workload distribution, evaluation procedures and seniority rights. Specifically, AB 1690 would require those community college districts that have not entered into a collective bargaining agreement as of January 1, 2017 to engage in negotiations with their part-time faculty for the purpose of retaining qualified part-time faculty and establishing a seniority list that will govern the offering of new assignments or a reduction in assignments. Those districts that already have such an agreement in place are exempted from the requirements of this bill. This bill also specifies minimum standards for the negotiated language.

Currently, this bill is in the Senate Rules Committee after having passed off the Assembly Floor on a 55-20 vote on June 1, 2016. The bill most likely will be referred to the Senate Education Committee.

Classified Employee Death Benefit Increase: AB 1878 (Jones-Sawyer) would ensure the death benefit of CalPERS school employees keeps pace with rising funeral costs. Specifically, AB 1878 grants the CalPERS Board the authority to annually increase the death benefit based on changes to inflation.

In the Assembly Appropriations Committee, the bill was amended to remove the increase to the death benefit. It ultimately came down to cost, as it was estimated the bill would cost tens of millions of dollars. The tie to the California Consumer Price Index ensures the gap between the death benefit and the cost of funerals does not widen. If the death benefits were to have been linked to inflation back in 2000, the death benefit would currently be valued at \$2,900.

AB 1878 passed off of the Assembly Floor on June 2, 2016 on a 57-19 vote. Currently, the bill is in the Senate Rules Committee awaiting assignment, but will most likely be heard in the Senate Public Employment and Retirement Committee.

Classified School Employee Teacher Credentialing Program: AB 2122 (McCarty) would provide grants to school districts and county offices of education to provide incentives to classified public school employees to obtain their Bachelor's degree and their teaching credential. The legislation, if passed, would both address the current teacher shortage by increasing the number of applicants to teacher credentialing programs and increase the diversity of the current teaching workforce so that it better matches the diversity of the student population in California.

In addition, the Assembly Budget Committee proposed a \$20 million allocation to fund the program.

AB 2122 passed off of the Assembly Floor on June 1, 2016 on an 80-0 vote. It is currently in the Senate Rules Committee awaiting assignment, but most likely will be heard in the Senate Education Committee depending upon the outcome of negotiations in the Budget Conference Committee.

Culturally Responsive Instruction Professional Development: AB 2353 (McCarty) would require the California Department of Education to "identify" professional development programs in culturally responsive instruction and provide links to those programs on its website. In addition, AB 2353 would further define school climate in statute by adding, "local measures may include the extent to which teachers and other school employees, as appropriate, have received or are receiving professional development related to culturally responsive instruction."

AB 2353 passed off of the Assembly Floor on May 31, 2016 on a 78-0 vote. It is currently in the Senate Rules Committee awaiting assignment, but will most likely be heard in the Senate Education Committee.

Family Leave for Classified Employees and Community College Instructors: AB 2393 (Campos) would provide K-12 and community college classified employees, and community college full- and part-time faculty with up to twelve weeks of paid parental leave for both new

mothers and fathers. Specifically, when a qualified employee has exhausted all available sick leave and continues to be absent on account of parental leave, the employee would receive "differential pay," which is calculated by reducing the employee's salary by the amount paid to his or her substitute. For districts that do not have a differential pay policy, qualified employees would receive half of their normal salary.

AB 2393 passed off of the Assembly Floor on June 2, 2016 on a 53-22 vote. The bill will next be heard in the Senate Education Committee on June 15, 2016

CFT PRIORITY BILLS: UPDATE

City College of San Francisco Restoration Funding: Senate Bill 1460 (Leno) would require the Board of Governors of the California Community Colleges (CCC) to provide the San Francisco Community College District with a revenue adjustment for restoration of apportionment revenue for three fiscal years. In 2013, the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges (ACCJC) moved to disaccredit City College – threatening to close the school effective July 2014. This drastic act immediately caused enrollment to plummet by nearly 35%. These revenue adjustments would not be subject to the growth cap, thereby allowing for growth up to the pre-accreditation crisis levels.

In addition to SB 1460, the Governor included \$41.5 million dollars of restoration funding in the May Revise Proposal. The Assembly Budget Committee approved the allocation and specified that this funding could be accessed over five years beginning with the 2017-18 fiscal year. The language of the budget item is the same as the language of SB 1460, with the exception of a five-year timeline as opposed to the three years in SB 1460. If this budget item is passed as a part of the budget on June 15, 2016, it is likely that SB 1460 will not be heard in the Assembly Higher Education Committee and would instead be included in trailer bill language. Alternatively, if this budget item is not included in the adopted budget, SB 1460 will be heard in the Assembly Higher Education Committee.

Currently, this bill is awaiting a hearing in the Assembly Higher Education Committee after having passed off the Senate Floor on a 31-8 vote on May 31, 2016. In addition, the proposed budget allocation is currently being negotiated in the Budget Conference Committee.

Community College Part-Time Faculty Office Hours: Assembly Bill 2069 (Medina) would require a community college district to report the percentage of part-time faculty that are required to hold office hours. The Seymour-Campbell Student Success Act of 2012 requires participating community college districts to, with the advice of the Chancellor, establish and maintain institutional research to evaluate the effectiveness of programs designed to facilitate students' completion of educational goals and courses of study. This bill would require community college districts to report, as a part of their Student Success Scorecard, the percentage of part-time faculty who are required to hold office hours per full-time equivalent student.

Currently, this bill is in the Senate Rules Committee after having passed off the Assembly Floor on a 77-0 vote on June 1, 2016. The bill is currently in the Senate Rules Committee awaiting assignment, but will most likely be referred to the Senate Education Committee.

Classified School Employee Unemployment Insurance: AB 2197 (Garcia) would expand unemployment insurance (UI) benefits to include classified school employees. Specifically, the bill would remove the prohibition that prevents classified school employees from receiving UI benefits during the summer months when schools are out of session. AB 2197 would phase-in up to eight weeks of UI benefits over a four-year timeframe, beginning with two weeks in 2016 and reaching eight weeks in 2019.

AB 2197 passed off of the Assembly Floor on June 2, on a 51-27 vote. The bill is currently in the Senate Rules Committee awaiting assignment. It will most likely be heard in the Senate Insurance Committee.

Theatre and Dance Credential: SB 916 (Allen) would add theatre and dance to the list of authorized single-subject teaching credentials. In addition, the bill would provide that a person issued a single-subject teaching credential in physical education or English before the establishment of a single-subject teaching credential in dance and theatre would be authorized to teach dance and theatre, respectively.

SB 916 passed off of the Senate Floor on a 39-0 vote on May 31, 2016. It will now head to the Assembly Education Committee for a hearing.

STATUS OF CFT OPPOSE BILLS

High School Credit for Religious Instruction: SB 1457 (Morrell), in its original form, would have authorized the governing board of a school district to adopt a policy to allow a pupil in high school to earn up to 2 elective credits toward the pupil's high school graduation requirements for the completion of release time instruction. The bill would have required the policy to include secular criteria for determining whether to authorize a pupil to earn credit. Additionally, SB 1457 would have required a decision to award credit for release time instruction to be neutral to, and not involve any test for, religious content or denominational affiliation and would prohibit school district staff and faculty from encouraging or discouraging participation by pupils in release time instruction. Finally, the bill would have removed the current 40 days-per-year cap provision in current law that allows students to be given release time for religious instruction.

The CFT and the CTA vigorously opposed this bill both in the Senate Education Committee and on the Senate Floor. In order to get it off of the Senate Floor, the author stripped out the provision requiring a school district to award up to 2 elective credits towards graduation for religious instruction.

SB 1457 was eligible for a Senate Floor vote for several days during the June 3, 2016 deadline week; however, realizing he did not have the votes, the author decided not to take it up on the Floor. Consequently, the bill "died" on the Senate Floor on June 3, 2016.

Third Grade Reading Assessments and Plans: SB 1145 (Hueso) would have required the State Board, on or before December 31, 2017, to identify formative reading diagnostic tools that could be used by the public schools to assess pupils' developmental levels of reading proficiency by the end of grade 3 and to post a list of those diagnostic tools on the State Department's website. SB 1145 would have required, on or before the beginning of the 2018-2019 school year, public schools that enroll pupils in grades 1-4 inclusive, and at which less than 50% of 4th

grade pupils demonstrate proficiency on English language arts standards on the statewide assessment administered the previous school year, to ensure each pupil's reading proficiency is measured using at least one of the formative reading diagnostic assessments listed on the State Department's website. In addition, the bill would have required any pupil who does not have an appropriate developmental reading level to have a reading plan to be created in collaboration with the pupil's parent and teacher. Finally, the bill would have required the reading plan to have certain elements to be reviewed at least annually by the school and updated or revised as appropriate.

Both CFT and CTA opposed this bill in the Senate Education Committee and the Senate Appropriations Committee based upon the fact that it would have required excessive testing of students, the development of individualized reading plans for every student below grade level and redundancy of both testing and planning.

SB 1145 was placed on the Senate Appropriations Suspense File on April 25, 2016 and was subsequently held there.

BUDGET UPDATE

Early Education Block Grant (Governor's Budget Proposal) was proposed by Governor Brown in January that would consolidate Proposition 98 dollars from the State Preschool Program, Transitional Kindergarten and the Preschool Quality Rating and Improvement System Grant into a \$1.6 billion block grant for local educational agencies. The Block Grant amount essentially represented flat funding for all of the programs. In addition, the proposal would remove the Transitional Kindergarten language in current law.

The CFT, in conjunction with numerous education organizations, opposed this proposal from the introduction by the Governor in January. Realizing that there was a great deal of opposition to the proposal, the Governor revised the proposal slightly to provide a year of transition time. Both the Assembly and Senate Budget Committees also rejected the Governor's proposal. The Assembly put forth their own early childhood education plan that would increase funding for early childhood education, maintain the current funding streams, maintain Transitional Kindergarten language in current law, increase the number of preschool slots available, increase the standard reimbursement rate and call on the Speaker of the Assembly to convene a Blue Ribbon Commission on Early Childhood and Education.

The Early Education Block Grant proposal will be a part of the Budget Conference Committee deliberations and final budget negotiations between leadership in the Assembly, Senate and the Governor.

Charter School Start-Up Grant (Governor's Budget Proposal) totaling \$20 million was proposed in the Governor's January budget proposal and maintained in the May Revise Proposal. The administration wanted to backfill the loss of California's Charter School Start-Up Grant from the United States Department of Education (USDOE).

The CFT opposed this proposal throughout the budget process arguing that the state should not be providing state dollars to start new charter schools because California did not receive a federal grant, and the state should not prioritize backfilling the loss of federal dollars for charter school start-ups while at the same time not backfilling special education funding – currently funded at approximately 35%.

Both the Assembly and Senate Budget Committees rejected the Governor's proposal. Both the Assembly and the Senate instead proposed that the Department of Education use the nearly \$35 million in left-over dollars from the USDOE's previous charter school start-up grant. It is expected that this will be an item of negotiations in the Budget Conference Committee.

TEACHER SHORTAGE BILLS ADVANCE

Incentives to Expand Four-Year Credentialing Programs: Assembly Bill 1756 (Bonilla) would authorize a postsecondary institution to offer a four- or five-year integrated program of professional preparation that would allow a student to earn a baccalaureate degree and a preliminary multiple- or single-subject teaching credential or an educational specialist instruction credential authorizing the holder to teach special education, including student teaching requirements concurrently and within four or five years. In addition, the bill would, contingent upon an appropriation in the Annual Budget, require the Commission on Teacher Credentialing to develop and implement a program to award 40 grants of \$250,000 each to postsecondary institutions for the development of transition plans to guide the creation of four-year integrated programs of professional preparation.

AB 1756 passed off of the Assembly Floor on May 31, 2016 with an 80-0 vote. In addition, the Governor proposed a \$10 million allocation for the program in his May Revise Proposal. Subsequently, the Assembly Budget Committee approved the Governor's proposal, and the Senate Budget Committee approved the proposal but specified that the dollars be allocated to California Community Colleges. It is currently being negotiated in the Budget Conference Committee.

Out-Of-State Credentialing for English Language Learner Teachers: Assembly Bill 2248 (Holden) would streamline the credentialing process for out-of-state teachers in the area of English Language Learner education and provide greater reciprocity with other states. AB 2248 would reduce additional tests and coursework for out-of-state teachers with two or more years of service and satisfactory evaluations.

AB 2248 passed off of the Assembly Floor on May 5, 2016 on a 79-1 vote. Subsequently, on June 8, 2016, AB 2248 passed out of the Senate Education Committee on a Consent vote. It will now move to the Senate Floor for a vote.

California Center on Teaching Careers (CalTEACH): Senate Bill 915 (Liu) would re-establish the California Center on Teaching Careers (CalTEACH) for the purpose of recruiting qualified individuals into the teaching profession. SB 915 would require the Commission on Teacher Credentialing, subject to an appropriation in the Annual Budget, to award a multi-year grant, through a competitive grant process, to a local educational agency (LEA), to establish the program. SB 915 would require the CalTEACH Center to distribute marketing material for recruitment purposes, provide information to prospective teachers regarding requirements for obtaining a credential and provide information to prospective teachers regarding financial aid and loan assistance.

SB 915 passed off of the Senate Floor on a 28-8 vote on June 1, 2016. In addition, the Governor included \$2.5 million of one-time money in his May Revise Proposal to fund the Center. The Assembly Budget Committee subsequently approved the Governor's proposal. The Senate Budget Committee approved the proposal but increased the amount of money to fund it to \$7.5 million. It is currently being debated in the Budget Conference Committee.

California Teacher Corps Act of 2016: Senate Bill 933 (Allen) would establish the California Teacher Corps program that would provide matching grants to local school districts to create or expand teacher residency programs in which funds could be used to pay for master teacher stipends, tuition for residents and costs of mentoring and induction. In addition, SB 933 would assign high priority to the recruitment of mid-career professionals, military veterans and recent college graduates as prospective participants in the program. Finally, the bill would target high-need local educational agencies or consortia of LEAs determined to be among the highest 40% of LEAs in the state in terms of unduplicated students.

SB 933 passed off of the Senate Floor on June 2, 2016 on a 37-0 vote. In addition, the Senate Education Committee proposed an allocation of \$60 million to fund the program. It is currently being debated in the Budget Conference Committee.

The California Federation of Teachers has a support position on all of these bills and has been working extensively to secure their passage in order to address the current and future teacher shortage in California.

FOR QUESTIONS OR ADDITIONAL INFORMATION CONTACT:

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