

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: July 17, 2007  
POSITION: Neutral, note concerns  
SPONSOR: EdVoice

BILL NUMBER: SB 859  
AUTHOR: J. Scott

**BILL SUMMARY: Teacher Credentialing: Visiting Faculty Permits**

This bill would authorize the Commission on Teacher Credentialing (CTC) to issue and renew visiting faculty permits that would authorize candidates with specified postsecondary teaching experience and subject matter preparation to provide instruction in a departmentalized classroom. The bill would also require the CTC to receive, review, and approve a declaration of need by the employing district hiring the holder of a visiting faculty permit. Finally, the bill would authorize the CTC to issue a preliminary and, eventually, a professional clear single subject teaching credential to the holder of a visiting faculty permit after completing specified fitness, preparation, professional development, and service obligations. Authorization to issue the visiting faculty permit would sunset on July 1, 2013, and the provisions relating to this authorization would sunset on July 1, 2015.

**FISCAL SUMMARY**

According to CTC staff, the costs of issuing this new permit and reviewing the needs declarations from employing districts would be minimal and absorbable within existing operations. However, the bill's requirement that a district present a declaration of need prior to CTC issuing a visiting faculty permit could result in state-reimbursable mandated costs.

**COMMENTS**

The Department of Finance (Finance) is neutral on this bill, because it would enable districts to fill teaching vacancies with experienced and knowledgeable individuals. However, Finance notes the following concern:

- The bill's requirement that a district present a declaration of need prior to CTC issuing a visiting faculty permit could result in a state-reimbursable mandate. However, Finance would be willing to work with the author's office to revise the language to eliminate any potential mandate.

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Analyst/Principal (0383) S. Swan	Date	Program Budget Manager Jeannie Oropeza	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

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**BILL ANALYSIS** Form DF-43 (Rev 03/95 Buff)

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**ANALYSIS****A. Programmatic Analysis**

This bill would authorize the CTC to issue and renew visiting faculty permits. This new permit would be valid for one year, renewable two times, and would authorize instruction in a K-12 departmentalized classroom. Recipients of this permit would be required to satisfy fitness requirements per existing law, possess a master's or higher degree in a subject area closely related to the subject the candidate would teach, and have at least three years of recent, full-time or full-time equivalent teaching experience at an accredited California community college, California State University, or University of California campus with evidence of two years satisfactory or better performance evaluations. Authorization to issue the visiting faculty permit would sunset on July 1, 2013, and the provisions relating to this authorization would sunset on July 1, 2015.

The Federal No Child Left Behind Act (NCLB) requires that all teachers demonstrate they are competent in the subject areas they teach and in the methodology of teaching. The State Board of Education (SBE) and the Department of Education (SDE) establish the state guidelines and definition of a highly qualified teacher for the state of California in their Plan to Meet Highly Qualified Teacher (HQT) provisions of NCLB. The plan details specific criteria that designate a teacher as highly qualified depending on many factors including, but not limited to, level and area of college education, demonstration by exam of subject matter competency and basic skills proficiency prior to providing classroom instruction, and credential type and date issued. Because emergency permit holders are not required to demonstrate subject matter competency and basic skills proficiency prior to providing classroom instruction, the State Plan identifies emergency permit holders as not meeting the HQT requirements.

We note that SDE has concerns that the visiting faculty permit is similar to an emergency permit in its characteristics, and, therefore it may not satisfy the criteria for NCLB's HQT requirement. Finance is not convinced that the visiting faculty permit would not satisfy the HQT requirement. It is unlikely that individuals serving on this permit would not be able to demonstrate subject matter competence, given that the permit requires that a holder possess a master's or higher degree.

This bill would require the CTC to review and approve a declaration of need submitted by districts prior to hiring the holder of a visiting faculty permit. Existing law requires CTC to review and approve a declaration of need submitted by districts prior to hiring the holder of a short-term staff permit, a provisional intern permit, or issuing an emergency permit. The declaration of need process includes a public declaration by the district, at an open board meeting, of their need to hire an uncredentialed individual to teach in the classroom. The CTC no longer issues emergency permits, because they do not satisfy the criteria for NCLB's HQT requirement.

This bill would make the holder of a visiting faculty permit eligible to obtain a preliminary single subject credential after the following requirements have been met: 1) two years of recent satisfactory or better performance evaluations related to teaching in a compartmentalized classroom; 2) a course in pedagogy; and 3) satisfaction of the standards and requirements regarding the instruction of English language learners. It would further exempt a visiting faculty permit holder from demonstrating subject matter competency otherwise required for the preliminary credential. The holder of a preliminary single subject credential issued subsequent to a visiting faculty permit would be eligible to obtain a professional clear single subject credential authorizing instruction in a departmentalized classroom after completing an individualized professional development plan. Consistent with existing law, a candidate may satisfy the individualized professional development plan requirement by completing a beginning teacher induction program such as the Beginning Teacher Support and Assessment program.

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**B. Fiscal Analysis**

According to CTC staff, the costs of issuing this new permit and reviewing the needs declarations from employing districts would be minimal and absorbable within existing operations. However, the bill's requirement that a district present a declaration of need prior to CTC issuing a visiting faculty permit could result in state-reimbursable mandated costs.

Code/Department Agency or Revenue Type	(Fiscal Impact by Fiscal Year)									Fund Code
	SO	(Dollars in Thousands)								
	LA	CO	PROP	2007-2008		2008-2009		2009-2010		
	RV	98	FC	FC	FC	FC	FC	FC	FC	
6110/Dept of Educ	SO	No	-----	See Fiscal Summary	-----					0001
6110/Dept of Educ	LA	Yes	-----	See Fiscal Summary	-----					0001
6360/Teacher Cred	SO	No	-----	See Fiscal Summary	-----					0407
6360/Teacher Cred	LA	Yes	-----	See Fiscal Summary	-----					0001
<u>Fund Code</u>	<u>Title</u>									
0001	General Fund									
0407	Teacher Credentials Fund									