

Senate Bill No. 472

CHAPTER 524

An act to amend Sections 99231, 99233, 99234, 99235, 99237, 99240, and 99242 of, to add Section 99237.5 to, and to repeal Sections 99234.5, 99238, and 99241 of, the Education Code, relating to instructional programs, and making an appropriation therefor.

[Approved by Governor September 28, 2006. Filed with
Secretary of State September 28, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

SB 472, Alquist. Instructional programs: Mathematics and Reading Professional Development Program.

Existing law establishes the Mathematics and Reading Professional Development Program, which is administered by the Superintendent of Public Instruction with the approval of the State Board of Education. Under this program, a local education agency, as defined, receives incentive funding to provide training in mathematics and reading to teachers and to provide training to instructional aides and paraprofessionals, as defined, who directly assist with classroom instruction in mathematics and reading. Under existing law, the program becomes inoperative on July 1, 2006, and is repealed on January 1, 2007.

This bill would extend the operation of the program until July 1, 2012, when the program would become inoperative. The bill would provide for the repeal of these provisions on January 1, 2013.

This bill also would remove the authority of the Superintendent of Public Instruction to allocate funding for training at a California Professional Development Institute. The bill would repeal the provisions granting priority for participation in the program to teachers who have not participated in professional development at a California Professional Development Institute, or have received this training but have not participated in supplemental training regarding the math and English language arts content standards and curriculum frameworks adopted by the State Board of Education.

This bill would add, to the subjects of provider-contracted professional development training and in-house professional development that a local education agency must certify that its proposal satisfies as a condition of receiving specified funding, training using instructional strategies to teach essential content to address the varied learning needs of pupils, with an emphasis on English language learners and pupils with exceptional needs. The bill would specify that the 40 hours of the professional development that a local education agency must certify has occurred has been based on

the statewide academic content standards and related adopted or standards-aligned instructional materials.

This bill would remove the provisions allowing a school district, charter school, or county office of education to claim funding under a program that has been repealed. This bill would repeal the provisions requiring the State Board of Education to determine whether professional development programs not operated pursuant to the California Professional Development Institute meet minimum criteria. The bill would also repeal the provision authorizing the State Board of Education to contract for the review of certified assurances by local education agencies regarding training.

The bill would require the State Department of Education to provide funding to local education agencies, with the approval of the State Board of Education, to provide professional development in reading language arts and mathematics to teachers of English language learner pupils. The bill would require the training providers, as defined, to have knowledge of the English language arts content standards, the mathematics content standards, the English language development standards, second language acquisition skills, and a thorough knowledge of specified instructional materials.

The bill would require the Superintendent of Public Instruction to provide funding, from a specified item of the Budget Act of 2006, to provide eligible elementary and secondary teachers with 40 hours of instruction, followup instruction, and support in specified areas. The bill would authorize the provision of funding under this program to all local education agencies, and would establish priorities and eligibility standards for the provision of this funding.

The bill would require the Superintendent of Public Instruction to appoint an advisory committee, consisting of at least 8 members, in order to ensure the quality and effectiveness of specified training provided under the bill. The bill would specify the qualifications required of the members of the advisory committee, as well as the general subject matter of the recommendations to be received by that committee.

This bill would delete a provision requiring cooperation between the State Department of Education and the University of the California and the California Professional Development Institute regarding a report by the State Department of Education on the effectiveness of the program. The bill would add survey data regarding program effectiveness and preprogram and postprogram pupil achievement, as well as retention rates of teachers, instructors, and paraprofessionals who participated in the program training, to the requirements for the report contents.

This bill would repeal the provisions authorizing professional development through this program to be provided through the California Professional Development Institute and related funding. The bill would also repeal a provision providing authority for this professional development to be provided at sites not located on a college or university campus.

This bill would express the intent of the Legislature to ensure that specified program training does not solely rely on state-adopted instructional materials to teach statewide academic content standards, and also express the intent of the Legislature to work with the State Board of Education and State Department of Education to achieve these goals.

The bill would also make various technical and conforming changes to the statutes governing the program.

The bill would appropriate \$120,000, without regard to fiscal year, from the General Fund to the Superintendent of Public Instruction for the purposes of the administration, by the State Department of Education, of the program, and would authorize the establishment of a position in the department for these purposes.

Appropriation: yes.

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

SECTION 1. Section 99231 of the Education Code is amended to read: 99231. For the purpose of this article, the following terms have the following meanings:

(a) “Instructional aide” means a person who is employed on either a full-time or a part-time basis for the purpose of directly assisting with classroom instruction in mathematics or reading in a California public school in which kindergarten or any of grades 1 to 12, inclusive, are taught and who does not possess a valid teaching credential, certificate, authorization, or permit issued by the Commission on Teacher Credentialing and does not include a paraprofessional, as defined in subdivision (b).

(b) “Paraprofessional” means a teacher aide, a teacher assistant, or a speech language pathology assistant who is employed on either a full-time or a part-time basis for the purpose of directly assisting with classroom instruction in mathematics or reading in a California public school in which kindergarten or any of grades 1 to 12, inclusive, are taught and who does not possess a valid teaching credential, certificate, authorization, or permit issued by the Commission on Teacher Credentialing.

(c) “Instructional materials that are aligned to state standards” means, for kindergarten and grades 1 to 8, inclusive, materials adopted by the state board after January 1, 2001, unless otherwise authorized by the state board. For grades 9 to 12, inclusive, “instructional materials that are aligned to state standards” means materials that the governing board of the local education agency has, after careful review, certified are aligned to the state mathematics or reading content standards and the curriculum frameworks for these subjects.

(d) “Local education agency” means a school district, county office of education, state special school, or charter school.

(e) “Teacher” means a person who holds a valid teaching credential, certificate, authorization, or permit issued by the Commission on Teacher

Credentialing and is employed on either a full-time or a part-time basis in a California public school in which kindergarten or any of grades 1 to 12, inclusive, are taught.

SEC. 2. Section 99233 of the Education Code is amended to read:

99233. (a) This program is intended to serve the following categories of staff:

(1) Teachers employed in a public school for the purpose of teaching in a self-contained classroom that serves pupils in kindergarten or any of grades 1 to 8, inclusive. Teachers described in this paragraph are eligible to receive instruction in both mathematics and reading.

(2) Teachers employed in a public school for the purpose of providing mathematics or reading instruction to pupils with exceptional needs. Teachers described in this paragraph are eligible to receive instruction in both mathematics and reading.

(3) Teachers who hold a single-subject teaching credential, certificate, or authorization issued by the Commission on Teacher Credentialing that authorizes them to teach English or social science in a classroom that is not self-contained and who are employed in a public school. Teachers described in this paragraph are eligible to receive instruction in reading.

(4) Holders of one-year emergency teaching permits and emergency career substitute teaching permits who are employed in a public school and assigned to teach English or social science courses in a classroom that is not self-contained. Teachers described in this paragraph are eligible to receive instruction in reading.

(5) Teachers who hold a single-subject teaching credential, certificate, or authorization issued by the Commission on Teacher Credentialing that authorizes them to teach mathematics or science in a classroom that is not self-contained and who are employed in a public school. Teachers described in this paragraph are eligible to receive instruction in mathematics.

(6) Holders of one-year emergency teaching permits and emergency career substitute teaching permits who are employed in a public school and assigned to teach mathematics or science courses in a classroom that is not self-contained. Teachers described in this paragraph are eligible to receive instruction in mathematics.

(7) Instructional aides and paraprofessionals who directly assist with classroom instruction in mathematics or reading who are employed in a public school for the purpose of assisting teachers in the instruction of pupils in kindergarten or any of grades 1 to 12, inclusive. Instructional aides and paraprofessionals who directly assist with classroom instruction in mathematics or reading, as described in this subdivision, are eligible to receive instruction in mathematics or reading.

(b) Holders of emergency 30-day substitute teaching permits issued by the Commission on Teacher Credentialing are not eligible to receive training offered pursuant to this article.

SEC. 3. Section 99234 of the Education Code is amended to read:

99234. (a) (1) The Superintendent shall notify local educational agencies that they are eligible to receive an incentive award based on the percentage of eligible teachers calculated in accordance with provisions of an item of appropriation in the annual Budget Act. It is the intent of the Legislature that a local educational agency give highest priority to training teachers who are new to the teaching profession, who are assigned to high-priority schools, who are assigned to schools that are under state sanctions as specified under Section 52055.5 or 52055.650, or who have recently changed teaching assignments.

(2) It is also the intent of the Legislature that funding appropriated in one fiscal year that is not expended by a local educational agency be redirected to local educational agencies that have trained more eligible teachers than the percentage funded. If a redirection of funding occurs, funding in subsequent fiscal years for the local educational agencies involved shall be adjusted to reflect the redirection of funding.

(b) A school district that cannot make the certification required pursuant to paragraph (3) of subdivision (a) of Section 99237 for all the grade levels it maintains in mathematics or reading may apply for and receive incentive funding for the grade levels and subjects for which it can make the certification required pursuant to paragraph (3) of subdivision (a) of Section 99237, in which case the certified assurance submitted pursuant to Section 99237 applies only to the professional development provided to teachers, instructional aides, and paraprofessionals who directly assist with classroom instruction in mathematics or reading in the grade levels and subjects for which it can make the certification required pursuant to paragraph (3) of subdivision (a) of Section 99237.

(c) Of the incentive provided pursuant to subdivision (a), a local educational agency may use not more than one thousand dollars (\$1,000) of the per teacher per subject amount to provide an individual teacher stipend.

(d) The Superintendent shall notify local educational agencies that the maximum funding for the purpose of this article for which they are eligible each year is equal to the percentage calculated in accordance with provisions of an item of appropriation in the annual Budget Act, multiplied by the sum of the following two factors multiplied by two thousand five hundred dollars (\$2,500):

(1) Twice the number of multiple subjects teachers teaching in a self-contained classroom and special education teachers, as specified in paragraphs (1) and (2) of subdivision (a) of Section 99233, that provide direct instruction in mathematics or reading as reported in the most recent available CBEDS data, who have not received training pursuant to either this article or Article 2 (commencing with Section 99220).

(2) The number of mathematics, English, science, and social science teachers, as specified in paragraphs (3) to (6), inclusive, of subdivision (a) of Section 99233 that were reported in the most recent available CBEDS data, who have not received training pursuant to either this article or Article 2 (commencing with Section 99220).

(e) The Superintendent shall allocate funding appropriated for the purposes of this article in the following order of priority:

(1) Two thousand five hundred dollars (\$2,500) for each qualifying teacher who was provided training pursuant to subdivision (a) in the prior year for whom the local educational agency did not receive funding due to insufficient availability of funds in the prior fiscal year.

(2) Two thousand five hundred dollars (\$2,500) for each qualifying teacher who was provided training pursuant to this article, subject to the limitations in subdivision (d).

(3) Two thousand five hundred dollars (\$2,500) for each qualifying teacher who was provided training pursuant to this article in excess of limitations in subdivision (d).

(f) Funding may not be provided to a local educational agency until the state board approves the certified assurance of the agency submitted pursuant to subdivision (a) of Section 99237.

(g) Of the funding a local educational agency is eligible to receive pursuant to this section for each eligible teacher, 50 percent shall be awarded following the provision of 40 hours of professional development based on the statewide academic content standards adopted pursuant to Section 60605, the Mathematics and Reading/English Language Arts frameworks adopted by the State Board of Education, and instructional materials adopted by the state board or standards-aligned instructional materials, as specified in subdivision (b) of Section 99237, with the remaining funding to be awarded following certification of the provision of the 80 hours of followup instruction as specified in subdivision (b) of Section 99237. The 80 hours of training may be completed over a two-year period.

(h) A local educational agency may not receive funds pursuant to this article for teachers who receive training pursuant to Article 2 (commencing with Section 99220) using funding provided pursuant to that article.

SEC. 4. Section 99234.5 of the Education Code is repealed.

SEC. 5. Section 99235 of the Education Code is amended to read:

99235. (a) The Superintendent of Public Instruction shall notify local educational agencies that they are eligible to receive funding to provide instructional aides and paraprofessionals who directly assist with classroom instruction in mathematics or reading with professional development training in mathematics or reading, in an amount equal to one thousand dollars (\$1,000) per qualifying instructional aide. Funding will be provided to local educational agencies on a first-come-first-served basis. A local educational agency that chooses to participate in the program is eligible to receive funding for no greater than the percentage calculated in accordance with provisions of an item of appropriation in the annual Budget Act for its instructional aides and paraprofessionals. However, the statewide total number of instructional aides and paraprofessionals who directly assist with classroom instruction in

mathematics and reading served under this program may not exceed 9,600 over two consecutive fiscal years.

(b) Of the incentive provided pursuant to subdivision (a), a local educational agency may not use more than five hundred dollars (\$500) of the amount per instructional aide or paraprofessional who directly assists with classroom instruction in mathematics or reading to provide an individual instructional aide stipend.

SEC. 6. Section 99237 of the Education Code is amended to read:

99237. (a) As a condition of receipt of funds for purposes of Section 99234 or 99235, a local education agency shall submit a certified assurance signed by the appropriate agency official and approved in a public session by the governing body of the agency to the state board that contains its proposal to satisfy the following:

(1) It contracted with a provider whose training curriculum was based upon one of the training models outlined in guidelines and criteria for approval of training providers established by the State Board of Education, and was approved by the state board, or the local education agency's training curriculum was based upon one of the training models outlined in guidelines and criteria for approval of training providers established by the State Board of Education and approved by the state board. Approval by the state board of the training curriculum shall be based on the criteria contained in paragraph (4) and in subdivision (b).

(2) It or the provider with whom it contracted provided professional development training focused primarily on the following:

(A) The mathematics or English language arts content standards adopted by the state board pursuant to Section 60605.

(B) The curriculum frameworks adopted by the state board for mathematics and English language arts.

(C) The use of instructional materials that will be used by pupils and are aligned to the mathematics or English language arts content standards adopted by the state board pursuant to Section 60605.

(D) The training shall include instructional strategies designed to help all pupils gain mastery of the California academic content standards with special emphasis on English language learners and pupils with exceptional needs.

(3) (A) It provides each pupil with instructional materials that are aligned to the state content standards in mathematics and English language arts no later than the first day of the first school term that commences 12 months or less after those materials are adopted by the state board in the case of instructional materials for kindergarten and grades 1 to 8, inclusive, or by the governing board of the school district in the case of instructional materials for grades 9 to 12, inclusive.

(B) For local education agencies that are piloting or evaluating instructional materials that are aligned to the state content standards in mathematics and English language arts, those materials shall be provided to each pupil no later than the first day of the first school term that commences 24 months or less after those materials were adopted by the

state board in the case of instructional materials for grades 1 to 8, inclusive, or by the governing board of the school district in the case of instructional materials for grades 9 to 12, inclusive.

(C) If a local education agency has not adopted instructional materials as required by subparagraph (A) for one or more grade levels because it is piloting or evaluating those instructional materials, the local education agency may only claim funding pursuant to Section 99234 for grade levels and subjects where the local education agency is in compliance with subparagraphs (A) and (B).

(D) For each teacher, in each core area for which funding is claimed pursuant to this article and for which there are not standards-aligned textbooks for each pupil, as determined through an audit, the Superintendent of Public Instruction, on a one-time basis, shall withhold from the next monthly principal apportionment payment to the local education agency an amount equal to one hundred dollars (\$100) for each of those pupils. The funds withheld are deemed to be an offset against the training funds provided pursuant to this article.

(4) It provides in-house professional development that focuses primarily on the following:

(A) The mathematics or English language arts content standards adopted by the state board pursuant to Section 60605.

(B) The curriculum frameworks adopted by the state board for mathematics and English language arts.

(C) The use of instructional materials that will be used by pupils and are aligned to the mathematics or English language arts content standards adopted by the state board pursuant to Section 60605.

(D) The training shall include instructional strategies designed to help all pupils gain mastery of the California academic content standards, with special emphasis on English language learners and pupils with exceptional needs.

(5) It provides the data elements required pursuant to Section 99240.

(b) As an additional condition of receipt of funds for purposes of Section 99234, a local education agency shall certify that:

(1) Forty hours of professional development based on the statewide academic content standards adopted pursuant to Section 60605, the Mathematics and Reading/English Language Arts frameworks adopted by the State Board of Education, and instructional materials adopted by the state board or standards-aligned instructional materials and 80 hours of followup instruction, coaching, or additional schoolsite assistance, in mathematics or reading, based upon the individual school needs, as appropriate, was provided to teachers who meet the criteria specified in paragraphs (1) and (2) of subdivision (a) of Section 99233.

(2) Forty hours of reading or English language arts professional development that includes strategies to help all pupils gain mastery of the California content standards and based on the statewide academic content standards adopted pursuant to Section 60605, the Reading/English Language Arts framework adopted by the State Board of Education, and

instructional materials adopted by the state board or standards-aligned instructional materials, and 80 hours of followup instruction, coaching, or additional schoolsite assistance, based upon the individual teacher or school needs, was provided to teachers who meet the criteria specified in paragraphs (3) and (4) of subdivision (a) of Section 99233.

(3) Forty hours of professional development in mathematics based on the statewide academic content standards adopted pursuant to Section 60605, the Mathematics framework adopted by the State Board of Education, instructional strategies designed to help all pupils gain mastery of the California academic content standards, and instructional materials adopted by the state board or standards-aligned instructional materials, and 80 hours of followup instruction, coaching, or additional schoolsite assistance, based upon the individual teacher or school needs, was provided to teachers who meet the criteria specified in paragraphs (5) and (6) of subdivision (a) of Section 99233.

(c) If, as the result of a program audit, it is found that the participating local education agency served fewer participants than it was funded to serve, the Superintendent of Public Instruction shall withhold from the next monthly principal apportionment payment to the local education agency an amount proportional to the amount of funding associated with the number of teachers that were not served.

(d) If, as the result of a program audit, it is found that the training provided by the local education agency or the provider with whom it contracted did not meet the requirements of paragraph (4) of subdivision (a), the Superintendent shall withhold from the next monthly principal apportionment payment to the local education agency an amount equal to the amount of funding associated with the training that was not aligned to state standards and curriculum frameworks.

(e) It is the intent of the Legislature that audits referenced in subdivisions (c) and (d) be conducted as part of a compliance audit performed in accordance with Sections 14503, 14508, and 41020.

SEC. 7. Section 99237.5 is added to the Education Code, to read:

99237.5. (a) (1) For the purposes of this section, the Superintendent of Public Instruction shall provide funding to local education agencies, with the approval of the State Board of Education, to provide professional development in reading language arts and mathematics to teachers of English language learner pupils. The criteria for the provision of funding shall include quality standards for the persons who train others to perform professional development training and for those who provide the training. Training providers shall have knowledge of the English language arts content standards, the mathematics content standards, the English language development standards, and second language acquisition skills. All providers shall have a thorough knowledge of all of the following instructional materials:

(A) The required state board adopted programs for kindergarten to grade 8, inclusive.

(B) The English language development components of the state board adopted programs for kindergarten and grades 1 to 8, inclusive.

(C) The standards-aligned programs purchased by local education agencies for grades 9 to 12, inclusive.

(D) A means of incorporating the supplemental instructional materials adopted pursuant to the Budget Act of 2004 and pursuant to Chapter 79 of the Statutes of 2006, designed to assist English learner pupils become proficient in reading, writing, and speaking English.

(2) For purposes of this section, “trainer provider” is defined as a currently or prospectively approved provider who may contract with a local education agency to offer any of the following:

(A) The 40 hours of training as authorized in Section 99237.

(B) The 40 hours of training authorized in Section 99237, in addition to the 40 hours of training for teachers of English learner pupils authorized in this section.

(C) The 40 hours of training authorized in Section 99237, in addition to the 40 hours of training for teachers of English learner pupils authorized in this section and the followup training authorized in Section 99237.

(3) Nothing in this section shall be construed to preclude training providers to apply to only offer the 40 hours of training for teachers of English language learner pupils.

(4) The State Department of Education, no later than January 1, 2007, shall establish the criteria for the professional development offered pursuant to this section. The professional development training shall include, but not necessarily be limited to, all of the following characteristics:

(A) It shall be sufficient in scope, depth, and duration to fully equip teachers with comprehensive instructional strategies using state board adopted instructional materials, including the universal access components of the state board adopted programs.

(B) It shall include English Language Development components of the state board adopted programs, and also provide strategies to differentiate instruction as needed in the basic programs, including, but not necessarily limited to, English language proficiency levels as measured by the California English Language Development Test.

(C) It shall include strategies to use supplementary materials with the state board adopted program to meet the needs of English language learner pupils.

(D) It shall be capable of delivering a thorough knowledge of the core academic content standards using the English language development standards to deliver instruction, as applicable.

(b) From funds appropriated pursuant to Provision (2) of Item 6110-137-0001 of Section 2.00 of the Budget Act of 2006 (Ch. 47, Stats. 2006) for the purposes of this section, the Superintendent of Public Instruction shall award funding to provide eligible elementary and secondary teachers with 40 hours of instruction, followup instruction, and

support in areas including, but not necessarily limited to, all of the following:

- (1) Vocabulary development.
 - (2) Writing development.
 - (3) Core academic standards and English Language Development Standards.
 - (4) Comprehensive instructional strategies using state board adopted instructional materials, including the universal access components of the state board adopted programs.
 - (5) Analyzing achievement of English learners to improve pupil performance through the use of multiple measures including state and local pupil assessment instruments and the Standardized Testing and Reporting (STAR) Program.
 - (6) English Language Development targeted to the pupils' English language proficiency level as measured by the California English Language Development Test.
 - (7) Early intervention techniques for pupils experiencing difficulty.
 - (8) Instructional strategies to teach essential content to address the varied learning needs of English learner pupils, including the different proficiency levels of English language learner pupils as determined by the California English Language Development Test.
 - (9) Any additional instruction and training areas that may be considered to improve pupil learning and achievement based upon the needs of participating teachers.
- (c) All local education agencies are eligible to participate in the professional development training for teachers of English language learner pupils authorized pursuant to this section. Priority in funding shall be awarded to any local education agency that meets one or more of the following criteria:
- (1) Twenty percent or more of its total enrollment is English language learner pupils.
 - (2) It has one or more schools identified as in program improvement under the federal No Child Left Behind Act of 2001 (20 U.S.C. Secs. 6301 et seq.).
 - (3) It has one or more schools that have not met their English language learner subgroup targets pursuant to Section 52052.
- (d) In order to be eligible to participate in the training described under this section, a teacher shall have completed 40 hours of professional development training pursuant to Section 99237, at any prior time. As a condition of receipt of funding to provide the professional development described in this section, a local education agency shall submit a certified assurance to the State Board of Education, signed by the appropriate agency official and approved in a public session by the governing body of the agency, declaring that the teachers who participated in the professional development for teachers of English language learner pupils described in this section have previously completed 40 hours of professional development pursuant to Section 99237.

(e) A teacher who has completed 40 hours of professional development for teachers of English learner pupils described in this section shall have the option of allowing this participation to fulfill 50 percent of the 80 hours of followup training required pursuant to Section 99237.

(f) The Superintendent of Public Instruction shall allocate funding appropriated for the purposes of professional development training for teachers of English language learner pupils, as described in this section, in the amount of one thousand two hundred fifty dollars (\$1,250) per qualifying teacher. The Superintendent of Public Instruction shall provide the funding to eligible local education agencies upon the provision, to qualified teachers, of the 40 hours of training described in this section. Of the funding allocated pursuant to this subdivision, a local educational agency may not use more than five hundred dollars (\$500) of the per-teacher amount to provide an individual teacher stipend.

(g) (1) On or before April 1, 2007, the Superintendent of Public Instruction shall submit estimates of both of the following to the Department of Finance and the Legislature:

(A) The number of teachers who intend to participate in the professional development for teachers of English language learner pupils as described in this section, but who have not already participated in professional development offered pursuant to Section 99234.

(B) The number of teachers who intend to participate only in the professional development offered pursuant to Section 99234.

(2) The report prepared under this subdivision shall estimate the cost of accommodating the teachers referenced in subparagraphs (A) and (B) of paragraph (1). If the Superintendent of Public Instruction finds that the cost of accommodating the numbers estimated in the report exceeds the amount of funding available pursuant to the Budget Act of 2006 for the professional training authorized pursuant to Section 99234, the Superintendent of Public Instruction shall notify the Department of Finance and the Legislature of the need to transfer funds from those appropriated for professional development for teachers of English language learner pupils under Provision 2 of Item 6110-137-0001 of Section 2.00 of the Budget Act of 2006 in order to accommodate providing the 40 hours of training authorized pursuant to Section 99237 for teachers of English language learner pupils.

(h) (1) The Superintendent of Public Instruction shall appoint an advisory committee, consisting of at least eight members, in order to ensure the quality and effectiveness of the training provided pursuant to this section. The advisory committee shall be made up of elementary and secondary teachers and teachers of English language learner pupils, schoolsite and school district administrators, representatives from higher education, researchers, and representatives from county offices. The majority of advisory committee members shall have expertise in second language acquisition and experience in teaching the academic content standards and English Language Development standards.

(2) The advisory committee shall make recommendations to the Superintendent of Public Instruction, including, but not necessarily limited to, all of the following:

- (A) Training criteria.
- (B) Training providers.
- (C) Implementation of the program.
- (D) Whether or not this type of training to teachers of English learners in other subjects besides reading and mathematics is appropriate.

(3) The Superintendent of Public Instruction shall make any recommendations made by the advisory committee available to the Legislature and the Governor upon request. To the extent practicable, the Superintendent of Public Instruction shall use the advisory committee established under the English Language Learner Acquisition and Development Pilot Program pursuant to Section 420, if that section is added in the 2005–06 Regular Session of the Legislature.

(i) The Superintendent of Public Instruction shall include information on this training in the reports provided to the Legislature pursuant to Section 99240.

SEC. 8. Section 99238 of the Education Code is repealed.

SEC. 9. Section 99240 of the Education Code is amended to read:

99240. (a) By June 30, 2008, the department shall submit, subject to review and approval by the state board, a report to the Legislature regarding the program established pursuant to this article. The report shall, at a minimum, detail all of the following:

(1) The number of teachers, by credential type, who have received training offered pursuant to this article.

(2) The number of instructional aides and paraprofessionals who directly assist with classroom instruction in mathematics or reading who have received training offered pursuant to this article.

(3) The entities that have received funds for the purpose of offering training pursuant to this article, and the number of teachers, instructional aides, and paraprofessionals who directly assist with classroom instruction in mathematics or reading, respectively, that each has trained.

(4) Information detailing the effectiveness of the program established pursuant to this article. This information shall, at a minimum, incorporate survey data concerning program effectiveness and preprogram and postprogram pupil achievement that has been gathered from program participants and school principals.

(5) To the extent that information is available, information detailing, by credential type, the retention rate of teachers who participated in training offered pursuant to this article. The information shall, at a minimum, incorporate sample data concerning teachers who are no longer in the profession.

(6) To the extent that information is available, information detailing the retention rate of instructional aides and paraprofessionals who directly assist with classroom instruction in mathematics, reading, science, or social science who participated in training offered pursuant to this article.

The information shall, at a minimum, incorporate sample data concerning aides who are no longer in the profession, as well as aides who have obtained a teaching credential subsequent to the training.

(b) By December 31, 2012, the department shall submit, subject to review and approval by the state board, a report to the Legislature regarding the program established pursuant to this article. The report shall, at a minimum, detail the following:

(1) The number of teachers, by credential type, who received training offered pursuant to this article.

(2) The number of instructional aides and paraprofessionals who directly assist with classroom instruction in mathematics or reading who received training offered pursuant to this article.

(3) The entities that received funds for the purpose of offering training pursuant to this article and the number of teachers, instructional aides, paraprofessionals who directly assist with classroom instruction in mathematics or reading, respectively, that each has trained.

(4) Information detailing the effectiveness of the program established pursuant to this article. This information shall, at a minimum, incorporate survey data concerning program effectiveness and preprogram and postprogram pupil achievement that has been gathered from program participants and school principals.

(5) To the extent that information is available, information detailing, by credential type, the retention rate of teachers who participated in training offered pursuant to this article. The information shall, at a minimum, incorporate sample data concerning teachers who are no longer in the profession.

(6) To the extent that information is available, information detailing the retention rate of instructional aides and paraprofessionals who directly assist with classroom instruction in mathematics or reading who participated in training offered pursuant to this article. The information shall, at a minimum, incorporate sample data concerning aides who are no longer in the profession, as well as aides who have obtained a teacher credential subsequent to training.

SEC. 10. Section 99241 of the Education Code is repealed.

SEC. 11. Section 99242 of the Education Code is amended to read:

99242. This article shall become inoperative on July 1, 2012, and, as of January 1, 2013, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2013, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 12. It is the intent of the Legislature:

(a) That providers of the training provided pursuant to subdivision (d) of Section 99234 of the Education Code and subdivision (a) of Section 99235 of the Education Code, as approved by the State Board of Education, shall primarily emphasize the statewide academic content standards adopted pursuant to Section 60605 of the Education Code. This emphasis includes ensuring that providers of training do not solely rely on

the state-adopted instructional materials in their training sessions as the sole resource for teaching the statewide academic content standards.

(b) To work with the State Board of Education and the State Department of Education to achieve the goals set forth in subdivision (a).

SEC. 13. The sum of one hundred twenty thousand dollars (\$120,000) is hereby appropriated, without regard to fiscal year, from the General Fund to the Superintendent of Public Instruction for the purposes of the administration, by the State Department of Education, of the Mathematics and Reading Professional Development Program (Article 3 (commencing with Section 99230) of Chapter 5 of Part 65 of the Education Code). The department is authorized to establish a position for these purposes.