

Leslie Peterson Schwarze
Chairperson
California Commission on Teacher Credentialing
1900 Capitol Ave.
Sacramento CA 94244-2700

June 2, 2006

Dear Chair Schwarze,

The Credential Counselors and Analysts of California (CCAC) is a non-profit professional organization of over 850 credentialing personnel from universities with teacher preparation programs (both public and private), school districts and county offices of education in the state of California. The organization exists to further the knowledge of its members by maintaining an informational network between those involved in the credentialing field, the California Commission on Teacher Credentialing (CCTC) and other state agencies involved in teacher credentialing. CCAC members are the link between the CCTC and teachers, administrators, students and the public. CCAC members meet daily with students at universities seeking to become teachers, with teachers employed at school districts, with those seeking employment and with personnel involved in assigning teachers to appropriate grade levels and subject areas.

As an organization whose main purpose is to provide accurate technical information about how the California credentialing system works, the recent report issued by the Legislative Analyst's Office (LAO) entitled "Modernizing the Functions of the Commission on Teacher Credentialing" has caused us great concern. We believe it is vitally important that state policy decisions and reforms be based upon an accurate understanding of the current status of the field.

CCAC supports soundly-based credentialing reforms that would benefit the teachers and school children of California. We believe that the best path towards reform in such areas as reducing the number of tests teachers take for credentialing and improving the accreditation system for teacher preparation programs is found in genuine dialogue between the field and the state. Such discussions have been on-going under the auspices of the CCTC and are on the verge of making a real difference.

We would like to bring to your attention a number of statements that figure prominently in the LAO report concerning credentialing in California that we believe are inaccurate and flawed.

The first and most important area in which we believe the report misstates the facts concerns recommendations relating to the moral fitness process (or fingerprinting). The protection of the children of California in school settings is the highest and most important mission of the credentialing system and any modification of the fitness system must be carefully considered and based upon factual information.

Concern #1: Definition of the Standard of Moral Fitness

On page 12 in point (3) the report states that individuals qualify for a credential by having no record serious criminal behavior. This is not correct. To be denied a credential a person may have exhibited a pattern of prior behavior that raises significant concerns about their fitness to be in a classroom with children although the conduct did not give rise to a criminal conviction.

Currently the Commission is charged with monitoring specific criminal activity by credential holders where simply being arrested is sufficient to result in the loss of the privilege of remaining in contact with children until the matter is formally adjudicated. The ability to automatically suspend a credential is a high standard ensuring the safety of California's school children.

It may be that the LAO believes that the state should adopt the lower standard it describes as being current practice, but if so the report should at least clearly state the differences in the two standards so that any added risk to the children of California that such a change would make can be properly assessed by the legislature.

Concern #2: Moral Fitness Systems

On page 4 the report states that credential candidates are routinely fingerprinted three times as part of the credentialing process and on page 17 a subsection of the report alleges that fingerprinting is riddled with redundancies. In this instance, the report conflates two separate state-mandated fitness processes relating to school sites and implies that both systems are the responsibility of the CCTC.

In reality, the Commission's moral fitness process requires that any candidate's fingerprints only be taken once during their lifetime. The prints are submitted to the DOJ and to the FBI as the result of a single scan or printing and the DOJ then keeps an open file on the individual as long as the person holds a credential.

In 1997, the legislature, by enacting AB 1610 and AB 1612 (Alby and Ortiz) created a moral fitness process based on actual employment by a California school district and/or county office of education under which a person may not be paid for work until their prints have cleared the DOJ and it is established that they have not committed any serious or violent felonies in California. The CCTC does not play a role in this independent process, which applies not only to credentialed employees, but also to classified school employees. The legislature created this new fitness system in response to the murder of a female student in a Sacramento area school by a school janitor with a prior criminal record whose prints had not been checked by the employing district.

So while some credential holders are fingerprinted for the DOJ more than once, such duplication does not occur as a result of any action taken by the CCTC. The LAO report misses the distinction between the two systems: credentialing and employment.

To make informed suggestions regarding changes or reforms in these two moral fitness processes, it is important to understand that each system has its own standards of fitness and pertains to different populations within the state. For example, while credential holders in private schools and those not employed in positions requiring their credentials may not fall under the employment system of AB 1610 and AB 1612, they are included under the more comprehensive CCTC system.

Concern #3: Difference between DOJ and FBI Clearance

On page 19 of the LAO report, it states that "Children, however, would be just as protected in the new system as in the existing system because all teachers still would be fingerprinted and required to receive DOJ clearance."

Nothing in the report is more inaccurate or more dangerous to the children of California than this allegation. The DOJ is a state agency and its database only records crimes committed in California. Under the system the LAO report proposes, individuals who had been convicted of offenses out-of-state could come to California, where their record was clear and have access to again harm children in a school setting.

Leaving the FBI out of the credentialing moral fitness process would make California a haven for individuals nationwide who could otherwise clearly be identified as posing a risk to the children of this state. It would set the moral fitness process back by at least a generation. A

candidate currently spends only \$24.00 once in their lifetime to be cleared by the FBI, as this clearance is NOT duplicated in the AB 1610/AB 1612 fitness system. The members and leadership of CCAC find it hard to understand why anyone would believe that this simple and inexpensive element in the fitness process is not absolutely essential to protect our children.

Clearly, an accurate understanding of such complicated matters such as the moral fitness process is essential before any reforms of the fitness system should be proposed.

Concern #4: General accuracy of the LAO report's description and analysis of the current credentialing system.

Point A: The Impact of SB 63 (2005 Session)

The report makes no mention of the provisions in this bill which mandated an on-line recommendation system for completers of credential programs offered by CCTC-approved universities. Implementation of this act has resulted in the most significant change in credentialing processing since the CCTC itself was first computerized in the 1980's.

Our members report that the credential recommendations that they currently submit on-line are processed quickly and that within ten working days the document is usually printed and in the mail to the candidate. Many university programs have converted their own operations so that all recommendations are made on-line and the remainder will complete their own internal changes and will go all on-line as soon as possible.

On its own initiative CCTC staff is already working with the school districts that have CCTC-approved internship programs to expand the SB 63 system to include them, with the Los Angeles Unified School District serving as the pilot district. Once enhancements to the CCTC's software are developed, we expect that applications for Thirty-Day Substitute Permits and individual applications for Certificates of Clearance will be added to the SB 63 process.

So in particular, the information on pages 14 and 16 of the LAO report regarding either projected or current processing time is no longer entirely valid.

In addition, the report makes no mention of the existence of the on-line credential renewal system that has successfully operated for several years or of the on-line credential look up system that allows both credential holders and the general public access to the credential status of credential holders.

In January, the CCTC took the first step toward a paperless credentialing system and now the documents called "Certificates of Clearance" are found on-line only and are no longer printed. Within two years it is planned that all printing of documents will cease and all records will be housed in and printable from a secure on-line data base.

We at CCAC do not understand why this important information was excluded from the LAO report. This omission significantly lessens the usefulness of the report, as any attempt at reform should begin with a realistic, comprehensive and accurate analysis of the existing processes.

Point B: District Internships

For at least the last twenty years, districts have had the authorization to sponsor credential programs in areas of need and have received CCTC approval to do so. The largest and most successful programs have been housed in Los Angeles Unified School District, but they exist statewide. No recognition of these important programs is provided in the report, either on Page 8 Figure 2 or in the projected reformed credentialing system described later in the document.

Point C: The Temporary County Certificate (TCC) Process

On page 16 the report also fundamentally misrepresents both the use of the TCC and its purpose in the credentialing process. A Temporary County Certificate is issued to allow salary to be paid to a credentialed employee in the public school K-12 system when the employee does not yet have a valid credential. Usually, the person is a new hire and has a credential application pending with CCTC. So the TCC does not replicate the credentialing review: it simply eases certain timelines in the hiring process.

In instances when the credential has been recommended by a university, the issuance of a TCC does not require a separate review of credential materials by a County Office of Education since the recommending university has already completed that process. Especially when dealing with university programs the county offices issue the TCC based not on an independent review of the materials, but on verification that the university program has completed its own review and has completed the credential recommendation processes. The County Office of Education does perform a review of credential materials for credential candidates that have not been recommended by a California university but this is clearly not a redundant practice.

Most importantly, with the introduction of the SB 63 on-line system, the credential applications are now usually posted and available to employers on the on-line look up system before the first pay period for the new hire occurs. Therefore, as the on-line system expands, the TCC will no longer need to be a part of the County Office employment verification process.

Concern #5: Unanswered Questions

Our years of experience with the credentialing field lead us to pose the following points that we feel are vital to any reform process. These are areas that are either minimized or not considered in the current LAO report:

- If the issuance of credentials is devolved to more than 150 separate universities, colleges and county offices, what specific steps will be taken to ensure that an integrated, complete and accurate data base of teacher credentialing is maintained?
- If the nuts and bolts of the fingerprinting process are isolated in the county offices and the Division of Professional Practices is centralized in Sacramento, what specific steps will be taken to ensure that credential discipline processes when required are consistently implemented and applied uniformly statewide?
- As statutes and regulations relating to credentialing change over time, specifically which body within state government will have the responsibility of communicating the changes to the many universities, colleges and county offices throughout the state and also verify the implementation of those regulatory reforms?
- The LAO report makes no mention of the credential assignment monitoring function that state law currently mandates the CCTC perform. Will this function continue to exist in the reformed system and if so, which part of the system will provide the oversight and review included in the current system?
- How would a system, in which an independent commission directly accessible to the field is replaced by a purely advisory body subsumed in a much larger agency, effectively respond to changing conditions in the field in a timely manner?

Thank you for your consideration of the issues we have identified regarding the LAO report on the state of teacher credentialing in California. We hope that the information and perspective we have provided will help you better evaluate the policy issues before you. As the credentialing reform process moves forward, if you feel we can provide you with any additional technical assistance, please feel free to contact our President Tedi Kostka, tkostka@sandiego.edu, (619) 260-4821.

Sincerely,

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The following CCAC members endorse this analysis of the LAO report:

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Cc: Members of the California Commission on Teacher Credentialing
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