

Date of Hearing: March 23, 2022

ASSEMBLY COMMITTEE ON EDUCATION  
Patrick O'Donnell, Chair  
AB 1876 (Seyarto) – As Introduced February 8, 2022

**SUBJECT:** Substitute teachers: emergency career substitute teaching permit: employment verification

**SUMMARY:** Requires the Commission on Teacher Credentialing (CTC), when issuing an initial emergency career substitute teaching permit, to accept employment verification for the previous consecutive three year period from one or more California school districts participating in a consortium in determining the accumulated work days per year.

**EXISTING LAW:**

- 1) States the requirements for the initial issuance of an Emergency Career Substitute Teaching Permit include all the following:
  - a) Possession of a baccalaureate or higher degree from a regionally accredited institution of higher education;
  - b) Passage of the California Basic Educational Skills Test (CBEST) unless exempted by statutes or regulations;
  - c) Verification, by employer(s), of either:
    - i. Three consecutive years of at least ninety days per year of day-to-day substitute teaching in the California school district requesting the permit, in the three years immediately preceding the date of application, or
    - ii. If the county office of education (COE) is responsible for the assignment of day-to-day substitutes for all their school districts, three consecutive years of at least ninety days per year of day-to-day substitute teaching accumulated from one or more California school districts in the county requesting the permit, in the three years immediately preceding the date of application.
  - d) Statement of endorsement signed by the superintendent of the employing school district or COE stating that the individual has served successfully in the district(s) and the district(s) would allow the individual to substitute teach for up to 60 days for one teacher during the school year;
  - e) Verification that the employing agency will make available to the permit holder the staff development activities that are offered to their regular teaching staff; and
  - f) Submission to the CTC of a completed Application for Credential Authorizing Public School Service; the applicable fee(s); and, unless clearance is already on file with the Commission, personal identification on duplicate fingerprint cards and the completed

Application for Character and Identification Clearance. (California Code of Regulations (CCR) Title 5, 80025.1)

- 2) States the requirements for the reissuance of an Emergency Career Substitute Teaching Permit, including all of the following:
  - a) Statement of continued endorsement from the superintendent of the employing school district or COE;
  - b) Verification that staff development activities that were offered to their regular teaching staff were made available to the permit holder; and
  - c) Submission to the CTC of a completed Application for Credential Authorizing Public School Service; and the applicable fee(s). (CCR Title 5, 80025.1)
- 3) Authorizes the Emergency Career Substitute Teaching Permit holder to serve as a substitute in any classroom; preschool, kindergarten and grades 1-12, inclusive; or in classes organized primarily for adults. Prohibits, the holder from serving as a substitute for more than 60 days for any one teacher during the school year. Restricts the permit to the schools operated by the employing agency that requested the permit. (CCR Title 5, 80025.1)
- 4) States that an Emergency Career Substitute Teaching Permit is valid for no less than one year and expires one calendar year from the first day of the month immediately following the date of issuance. (CCR Title 5, 80025.1)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

**Background.** When issuing a career substitute teaching permit, existing law requires the CTC to verify at least ninety days per year of day-to-day substitute teaching over the previous three consecutive years, at either one school district or within an entire county, if the county administers the substitute assignments for the entire county. The law does not allow the CTC to verify employment from a consortium of school districts, which are not part of a county-wide substitute program. This bill instead allows the employment to be counted within a consortium of school districts.

**Need for the bill.** According to the author, “California’s supply of substitute teachers has been declining for a few years now, however the emergence of the COVID-19 pandemic created an even more dire situation. Our children suffered tremendous learning loss in the first year of remote learning. Now, they have returned to in-person classroom instruction and schools are struggling to find educators to teach them. Our kids are the ones bearing the greatest cost of this teacher shortage. Of course, our current substitute permit requirements ensure students still receiving a quality education on days their teachers are absent. However, it is important to provide greater flexibility wherever possible to ensure unnecessary administrative barriers are not effecting our kids’ access to quality substitute teachers. AB 1876 will make the Career Substitute Teaching Permit more accessible to qualified substitutes needed to address the extended shortages and absences of full time teacher without compromising our current teaching standards.”

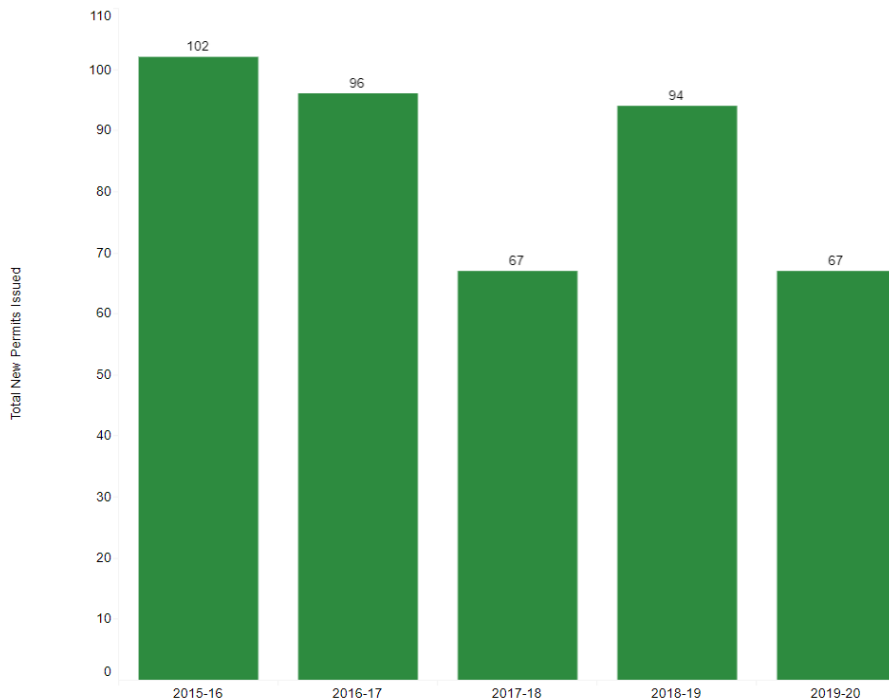
**COVID-19 implications.** With the unprecedented COVID-19 crisis, creative solutions that increase opportunity for substitute teacher candidates to qualify for permits are needed more urgently than ever. During the 2021-22 school year, and especially in January 2022, schools across the state were hit hard with teacher absences due to COVID-19. Some school districts had over 100 certificated absences each school day, and not enough substitute teachers to fill the need. Many districts attempted to recruit parents to substitute teach. Possible periodic resurgences of the COVID-19 pandemic may again require an increase in the number of substitute teachers needed in the 2023-2024 academic year and beyond.

In the midst of the COVID-19 pandemic, California is facing a massive substitute teacher shortage. In the 2015-16 school year, the CTC issued 102 new career substitute teaching permits. In 2019-20, it issued only 67. With dozens of teachers out every week due to COVID infection or exposure, California has leaned on its dwindling substitute teacher pool more than ever. Across the nation, states have had to cancel classes due to districts’ inability to staff classrooms, this has led many of them to ease requirements to attract more substitute teachers.

**What is the difference between a career substitute teaching permit and a 30 day substitute teaching permit?** A career substitute teaching permit authorizes a person to serve as a substitute teacher for up to 60 days in a single classroom. Career substitute teachers are required to demonstrate a history of substitute teaching in the district or the county by being employed for at least 90 days per school year, for each of the previous three school years. By contrast, the holder of a 30 day substitute teaching permit may only teach up to 30 days in a single classroom, and does not have a requirement to demonstrate a history of previous substitute teaching experience.

**California data on issuance of career substitute permits.** The graph below shows the amount of new Career Substitute Teaching Permits issued, which has seen a significant decrease since 2015.

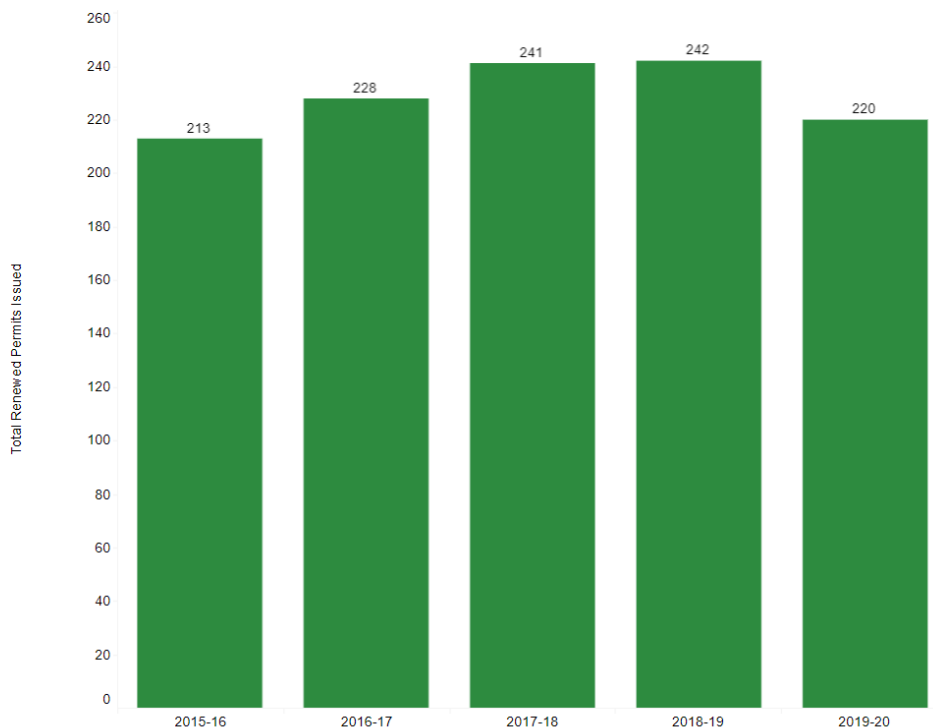
Issuance of New Career Substitute Permits



(Source: CTC)

The graph below shows the amount of Career Substitute Teaching Permits being renewed, which has seen a slight decrease since 2015.

#### Renewal of Career Substitute Permits



(Source: CTC)

**Teacher shortages increase the demand for substitute teachers.** Teacher shortages have increased the need and demand for substitute teachers. New strategies for substitute recruitment and retention are rapidly changing. According to a report and survey conducted by EdWeek Research Center, *The Substitute Teacher Gap: Recruitment and Retention Challenges in the Age of Covid-19*, short-term substitute teaching positions have been difficult to fill because of low wages, lack of benefits, and a requirement to hold a bachelor's degree. This report found that on average about 250,000 positions are left to be filled daily with substitute teachers with only 54% total absences covered with substitute teachers filling in the vacancies. The report also found that 71% of administrators and school board members predict that the demand for substitute teachers will increase in the next five years. The report interviewed a California school board member who stated, "Many of those people that we do recruit to become substitutes end up getting hired as fulltime teachers, which is great; however, then we lose them on the substitute teacher roles."

**Substitute teacher compensation.** According to the Bureau of Labor Statistics, the mean annual wage for a short-term substitute teacher in the U.S. as of 2020 was \$36,090. The Education Commission of the States reports that providing competitive compensation can help states improve the substitute teacher pool by attracting more candidates. In an EdWeek Research Center survey year, 65% of school members and administrators say a pay increase would improve the quality of substitute teaching in their districts. Respondents said that on average a minimum 26% pay increase would increase the quality of the substitute; however, only 19% of respondents said their substitute teacher rates increased.

*Already weak teaching pipeline further damaged by COVID-19 education disruptions.* A March 2021 report by the Learning Policy Institute (LPI) raised concerns about the effects of the COVID-19 pandemic on the teacher shortage in California:

- *Teacher shortages remain a critical problem.* Most districts have found teachers to be in short supply, especially for math, science, special education, and bilingual education. Shortages are especially concerning as a return to in-person instruction will require even more teachers to accommodate physical distancing requirements. Most districts are filling hiring needs with teachers on substandard credentials and permits, reflecting a statewide trend of increasing reliance on underprepared teachers.
- *Teacher pipeline problems are exacerbated by teacher testing policies and inadequate financial aid for completing preparation.* Many districts attributed shortages to having a limited pool of fully credentialed applicants, with more than half reporting that testing requirements and lack of financial support for teacher education pose barriers to entry into teaching.
- *Teacher workload and burnout are major concerns.* The transition to online and hybrid learning models has had a steep learning curve and poses ongoing challenges that have been a primary contributor to some teachers' decisions to retire earlier than previously planned. With district leaders estimating that teacher workloads have at least doubled, many were concerned that the stressors of managing the challenges of the pandemic on top of the challenges of an increased workload could lead to teacher burnout and increased turnover rates.
- *Growing retirements and resignations further reduce supply.* In some districts, retirements and resignations are contributing to shortages, while in others, these retirements and resignations offset the need for anticipated layoffs due to expected budget cuts this school year. District leaders anticipate higher retirement rates next year, which could exacerbate teacher shortages.

**Related legislation.** AB 1895 (E. Garcia) of the 2021-22 Session would require school districts to employ substitute teachers.

AB 1893 (Cunningham) of the 2021-22 Session, would require, until July 1, 2024, the CTC to waive the basic skills proficiency requirement for the issuance of an emergency 30-day substitute teaching permit.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

None on file

##### **Opposition**

None on file

**Analysis Prepared by:** Chelsea Kelley / ED. / (916) 319-2087