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CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 855

Introduced by Assembly Members Dutra and Rod Pacheco

(Principal coauthor: Senator Figueroa)

(Coauthors: Assembly Members Alquist, Aroner, Chan, Chavez, Diaz, Goldberg, Havice, Hertzberg, Koretz, Leach, Nakano, Robert Pacheco, Salinas, Vargas, and Wyland)

(Coauthors: Senators McPherson, O’Connell, and Vasconcellos)

February 22, 2001

An act to add Sections 56475.1, 59008, 59104, and 59205 to the Education Code, ~~to add Section 500.2 to the Military and Veterans Code,~~ to add Section 2054.2 to the Penal Code, and to add Section 1120.3 to the Welfare and Institutions Code, relating to teachers.

LEGISLATIVE COUNSEL’S DIGEST

AB 855, as amended, Dutra. State special schools and other educational programs: teacher compensation.

Existing law establishes the California Schools for the Deaf and the California School for the Blind, known as the state special schools. Existing law also authorizes the Director of Corrections to establish and

maintain classes for inmates by utilizing personnel of the Department of Corrections, or by entering into an agreement with the governing board of a school district or private school or the governing boards of school districts under which the district maintains classes, for those inmates. Existing law establishes, within the Department of the Youth Authority, a correctional education authority for the purpose of carrying out the education and training of wards committed to the youth authority, and prescribes the course of study for those wards.

Existing law requires the Superintendent of Public Instruction and the directors of the State Department of Mental Health, the State Department of Developmental Services, the Department of Rehabilitation, and the Department of the Youth Authority, among others, to develop written interagency agreements, or to adopt joint regulations that include fiscal responsibilities for the provision of special education and related services to individuals with exceptional needs.

Existing law provides that the State Department of Education shall fix the compensation of officers, teachers, and employees of the state special schools.

This bill would require salaries paid to teachers, teacher specialists, and administrators, as defined, employed by state special schools, the State Department of Mental Health, the State Department of Developmental Services, the Department of Rehabilitation, a school district to teach in ~~cadet camps or~~ certain diagnostic centers, the Director of Corrections to teach those classes, or by the correctional education authority within the Department of the Youth Authority, to be no less than the salaries of other public school teachers, teacher specialists, and administrators employed by school districts, as specified. By applying this requirement to school districts with teachers at cadet camps, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,



reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

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

1 SECTION 1. Section 56475.1 is added to the Education Code,
2 to read:

3 56475.1. Salaries paid to teachers and teacher specialists who
4 are employed by the State Department of Mental Health, the State
5 Department of Developmental Services, and the Department of
6 Rehabilitation, and who provide educational and other related
7 services shall be no less than the salaries paid to other teachers and
8 teacher specialists who are employed by the school district within
9 whose boundaries those services are provided. For purposes of this
10 section, “teachers” or “teacher specialists” means those
11 individuals who hold the appropriate teaching, service, or teaching
12 and administrative credential, as appropriate, as issued by the
13 Commission on Teacher Credentialing, as determined by the
14 employing state agency.

15 SEC. 2. Section 59008 is added to the Education Code, to
16 read:

17 59008. (a) Salaries paid to special education teachers and
18 teacher specialists who are employed by a California School for
19 the Deaf shall be no less than the salaries paid to other special
20 education teachers and teacher specialists who are employed by
21 the school district that contains that California School for the Deaf
22 within its boundaries.

23 (b) Salaries paid to administrators employed by a California
24 School for the Deaf shall be no less than the salaries paid to other
25 administrators who are employed by the school district that
26 contains that California School for the Deaf within its boundaries.

27 (c) For purposes of this section, “teachers” or “teacher
28 specialists” or “administrators” means those individuals who
29 hold the appropriate teaching, service, or teaching and
30 administrative credential, as appropriate, as issued by the
31 Commission on Teacher Credentialing, as determined by the
32 employing state agency.



1 SEC. 3. Section 59104 is added to the Education Code, to
2 read:

3 59104. (a) Salaries paid to special education teachers and
4 teacher specialists who are employed by the California School for
5 the Blind shall be no less than the salaries paid to other special
6 education teachers and teacher specialists who are employed by
7 the school district that contains that California School for the Blind
8 within its boundaries.

9 (b) Salaries paid to administrators employed by the California
10 School for the Blind shall be no less than the salaries paid to other
11 administrators who are employed by the school district that
12 contains that California School for the Blind within its boundaries.

13 (c) For purposes of this section, “teachers” or “teacher
14 specialists” or “administrators” means those individuals who
15 hold the appropriate teaching, service, or teaching and
16 administrative credential, as appropriate, as issued by the
17 Commission on Teacher Credentialing, as determined by the
18 employing state agency.

19 SEC. 4. Section 59205 is added to the Education Code, to
20 read:

21 59205. (a) Salaries paid to special education teachers and
22 teacher specialists who are employed by either the Diagnostic
23 Center, northern California; the Diagnostic Center, central
24 California; or the Diagnostic Center, southern California shall be
25 no less than the salaries paid to other special education teachers
26 and teacher specialists who are employed by the school district that
27 contains that diagnostic center.

28 (b) Salaries paid to administrators employed by either the
29 Diagnostic Center, northern California; the Diagnostic Center,
30 central California; or the Diagnostic Center, southern California
31 shall be no less than the salaries paid to administrators who are
32 employed by the school district that contains that diagnostic
33 center.

34 (c) For purposes of this section, “teachers” or “teacher
35 specialists” or “administrators” means those individuals who
36 hold the appropriate teaching, service, or teaching and
37 administrative credential, as appropriate, as issued by the
38 Commission on Teacher Credentialing, as determined by the
39 employing state agency.



1 ~~SEC. 5.~~ Section 500.2 is added to the Military and Veterans
2 Code, to read:

3 ~~500.2. (a) Salaries paid to teachers and teacher specialists~~
4 ~~who are employed by a school district to teach in a cadet camp shall~~
5 ~~be no less than the salaries paid to other teachers and teacher~~
6 ~~specialists who are employed by the school district that contains~~
7 ~~that cadet camp and who teach similar academic subjects.~~

8 ~~(b) Salaries paid to administrators who are employed by the~~
9 ~~school district to administer educational programs at a cadet camp~~
10 ~~shall be no less than the salaries paid to other administrators who~~
11 ~~are employed by the school district that contains that cadet camp.~~

12 ~~(c) For purposes of this section, “teachers” or “teacher~~
13 ~~specialists” or “administrators” means those individuals who~~
14 ~~hold the appropriate teaching, service, or teaching and~~
15 ~~administrative credential, as appropriate, as issued by the~~
16 ~~Commission on Teacher Credentialing, as determined by the~~
17 ~~employing state agency.~~

18 ~~SEC. 6.~~

19 *SEC. 5.* Section 2054.2 is added to the Penal Code, to read:

20 2054.2. (a) Salaries paid to teachers and teacher specialists
21 who are employed by the Department of Corrections to teach in a
22 state correctional facility shall be no less than the salaries paid to
23 other teachers and teacher specialists who are employed by the
24 school district that contains that state correctional facility and who
25 teach similar academic subjects.

26 (b) Salaries paid to administrators who are employed by the
27 Department of Corrections to administer educational programs at
28 a state correctional facility shall be no less than the salaries paid
29 to other administrators who are employed by the school district
30 that contains that state correctional facility.

31 (c) For purposes of this section, “teachers” or “teacher
32 specialists” or “administrators” means those individuals who
33 hold the appropriate teaching, service, or teaching and
34 administrative credential, as appropriate, as issued by the
35 Commission on Teacher Credentialing, as determined by the
36 employing state agency.

37 ~~SEC. 7.~~

38 *SEC. 6.* Section 1120.3 is added to the Welfare and
39 Institutions Code, to read:



1 1120.3. (a) Salaries paid to teachers and teacher specialists
2 who are employed by the Department of the Youth Authority to
3 teach in a state youth authority shall be no less than the salaries paid
4 to other teachers and teacher specialists who are employed by the
5 school district that contains that state youth authority and who
6 teach similar academic subjects.

7 (b) Salaries paid to administrators who are employed by the
8 Department of the Youth Authority to administer educational
9 programs at a state youth authority shall be no less than the salaries
10 paid to other administrators who are employed by the school
11 district that contains that state youth authority.

12 (c) For purposes of this section, “teachers” or “teacher
13 specialists” or “administrators” means those individuals who
14 hold the appropriate teaching, service, or teaching and
15 administrative credential, as appropriate, as issued by the
16 Commission on Teacher Credentialing, as determined by the
17 employing state agency.

18 ~~SEC. 8.—~~

19 SEC. 7. Notwithstanding Section 17610 of the Government
20 Code, if the Commission on State Mandates determines that this
21 act contains costs mandated by the state, reimbursement to local
22 agencies and school districts for those costs shall be made pursuant
23 to Part 7 (commencing with Section 17500) of Division 4 of Title
24 2 of the Government Code. If the statewide cost of the claim for
25 reimbursement does not exceed one million dollars (\$1,000,000),
26 reimbursement shall be made from the State Mandates Claims
27 Fund.

