

AMENDED IN SENATE JUNE 19, 2008

AMENDED IN SENATE JUNE 10, 2008

AMENDED IN SENATE MARCH 11, 2008

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY MARCH 22, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

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**ASSEMBLY BILL**

**No. 131**

**Introduced by Assembly Member Beall**

January 12, 2007

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An act to add and repeal Section 44265.2 of the Education Code, relating to teacher credentialing, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 131, as amended, Beall. Teacher credentialing: specialist credential: pupils with autism.

Existing law requires the Commission on Teacher Credentialing, by December 1, 2007, to report to the Legislature and the Governor on the existing process and requirements for obtaining a specialist credential in special education and recommend modifications to enhance and expedite those procedures.

This bill would authorize, ~~until January 1, 2012,~~ a local educational agency or school to employ and assign an individual to provide instruction to pupils who are 3 and 4 years of age and who are diagnosed as autistic, as defined, if the individual holds a valid level 1 or clear education specialist credential, is authorized to provide instruction to

pupils with autism, and meets specified competence criteria, as determined by the local educational agency or school. The local educational agency or school would be required to maintain on file in its office verification that the individual has met the competence criteria. *These provisions would become inoperative on August 31, 2011, and would be repealed on January 1, 2012.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

1 SECTION 1. Section 44265.2 is added to the Education Code,  
2 to read:  
3 44265.2. (a) Notwithstanding any other law, a local educational  
4 agency or school may employ and assign an individual to provide  
5 instruction to pupils who are three and four years of age and who  
6 are diagnosed as autistic, as defined by Section 300.8(c)(1) of Title  
7 34 of the Code of Federal Regulations, if the individual holds a  
8 valid level 1 or clear education specialist credential, is authorized  
9 to provide instruction to pupils with autism, and meets the  
10 competence criteria set forth in subdivision (b).  
11 (b) (1) The local educational agency or school shall determine  
12 that an individual described in subdivision (a) has satisfied either  
13 of the following competence criteria allowing the individual to  
14 provide instruction to pupils who are ages three and four years of  
15 age with autism:  
16 (A) He or she has provided full-time instruction for at least one  
17 year prior to September 1, 2007, in a special education program  
18 that serves pupils who are three and four years of age with autism  
19 pursuant to their individualized education programs and received  
20 from the local educational agency or school a favorable evaluation  
21 or recommendation to teach pupils with autism.  
22 (B) He or she has completed at least three semester units of  
23 coursework in the subject of special education, early childhood  
24 education at a regionally accredited institution of higher education.  
25 (2) The local educational agency or school shall maintain  
26 verification of experience or coursework on file in its office.

1 ~~(e) This section shall remain in effect only until January 1, 2012,~~  
2 ~~and as of that date is repealed, unless a later enacted statute, that~~  
3 ~~is enacted before January 1, 2012, deletes or extends that date.~~

4 *(c) This section shall become inoperative on August 31, 2011,*  
5 *and, as of January 1, 2012, is repealed, unless a later enacted*  
6 *statute, that becomes operative on or before January 1, 2012,*  
7 *deletes or extends the dates on which it becomes inoperative and*  
8 *is repealed.*

9 *SEC. 2. This act is an urgency statute necessary for the*  
10 *immediate preservation of the public peace, health, or safety within*  
11 *the meaning of Article IV of the Constitution and shall go into*  
12 *immediate effect. The facts constituting the necessity are:*

13 *In order to allow local educational agencies and nonpublic,*  
14 *nonsectarian schools to hire and retain more credentialed special*  
15 *education teachers to provide instruction to pupils with autism at*  
16 *the earliest possible time, it is necessary that this act take effect*  
17 *immediately.*