

AMENDED IN ASSEMBLY APRIL 22, 2008

AMENDED IN ASSEMBLY MARCH 28, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 2302

**Introduced by Assembly Members Bass and Feuer
(Principal coauthor: Assembly Member Lieu)
(Coauthors: Assembly Members Brownley, DeVore, Evans, Horton,
Maze, Nava, and Salas)**

February 21, 2008

An act to amend and repeal Section 44265.1 of the Education Code, relating to teacher credentialing, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2302, as amended, Bass. Teacher credentialing: specialist credential: pupils with autism.

Existing

(1) *Existing* law requires the Commission on Teacher Credentialing, by December 1, 2007, to report to the Legislature and the Governor on the current 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 a local educational agency or school to assign a teacher who holds a level 1 education specialist credential, or a previously issued credential, that authorizes him or her to provide instruction to individuals with mild and moderate disabilities to provide instruction to pupils with autism, as defined, if the teacher consents to the assignment and satisfies certain criteria, as determined by the local

educational agency or school. Local educational agencies and schools that assign teachers to provide instruction to pupils with autism pursuant to the bill would be required to report teacher assignments made pursuant to that authority as part of their annual assignment monitoring pursuant to a specified statutory provision. These provisions would become inoperative 2 years after the commission adopts regulations to implement the recommended modifications regarding specialist credentials, or on August 31, 2011, whichever occurs first, and would be repealed on January 1, 2012.

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

Vote: ~~majority~~^{2/3}. 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 44265.1 of the Education Code is
 2 amended to read:
 3 44265.1. (a) By December 1, 2007, the commission shall report
 4 to the Legislature and the Governor on the current existing process
 5 and requirements for obtaining a specialist credential in special
 6 education and recommend modifications to enhance and expedite
 7 these procedures.
 8 (b) Notwithstanding any other provision of law, a local
 9 educational agency or school may assign a teacher who holds a
 10 level 1 education specialist credential, or a previously issued
 11 credential, that authorizes him or her to provide instruction to
 12 individuals with mild and moderate disabilities to provide
 13 instruction to pupils with autism, as defined by Section 300.8(c)(1)
 14 of Title 34 of the Code of Federal Regulations if the teacher
 15 consents to the assignment and satisfies the criteria described in
 16 subdivision (c).
 17 (c) The local educational agency or school shall determine that
 18 a teacher described in subdivision (b) has satisfied either of the
 19 following prior to allowing the teacher to provide instruction to
 20 pupils with autism:
 21 (1) He or she has provided full-time instruction for at least one
 22 year prior to September 1, 2007, in a special education program
 23 that serves pupils with autism pursuant to their individualized
 24 education programs and received a favorable evaluation or

1 recommendation to teach pupils with autism from the local
2 educational agency or school.

3 (2) He or she has completed a minimum of three semester units
4 of coursework in the subject of autism offered by a regionally
5 accredited institution of higher education. The local educational
6 agency or school shall maintain the certificate or other verification
7 of completion of the coursework on file in its office.

8 (d) Local educational agencies and schools shall report teacher
9 assignments made pursuant to this section as part of their annual
10 assignment monitoring pursuant to Section 44258.9.

11 (e) This section shall become inoperative two years after the
12 commission adopts regulations to implement the recommended
13 modifications described in subdivision (a), or on August 31, 2011,
14 whichever occurs first, and is repealed on January 1, 2012, unless
15 a later enacted statute that is enacted before January 1, 2012, deletes
16 or extends the dates on which it becomes inoperative and is
17 repealed.

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

22 *In order to allow local educational agencies and public and*
23 *nonpublic, nonsectarian schools to hire and retain more*
24 *credentialed special education teachers to provide instruction to*
25 *pupils with autism at the earliest possible time, it is necessary that*
26 *this act take effect immediately.*