

AMENDED IN ASSEMBLY MAY 6, 2009

AMENDED IN ASSEMBLY MARCH 25, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 544

Introduced by Assembly Member Coto

**(Coauthors: Assembly Members Ammiano, Brownley, Buchanan,
Carter, Eng, Miller, Nestande, Portantino, and Solorio)**

February 25, 2009

An act to amend Section 44262 of, and to add Article 14 (commencing with Section 44410) to Chapter 2 of Part 25 of Division 3 of Title 2 of, the Education Code, relating to teacher add Section 44262.5 to the Education Code, relating to teacher credentialing.

LEGISLATIVE COUNSEL'S DIGEST

AB 544, as amended, Coto. Eminence credential: American Indian languages.

Existing law authorizes the Commission on Teacher Credentialing to, among other things, to establish professional standards, assessments, and examinations for entry and advancement in the education process. The commission is authorized to issue an eminence credential to any person who has achieved eminence in a field of endeavor taught, or service practiced, in the public schools of California.

This bill would require the commission, upon recommendation by a tribal government; *of a federally recognized Indian tribe in California*, to issue an American Indian languages eminence credential to a candidate who has demonstrated *eminence fluency in the tribal that tribal language of a federally recognized Indian tribe in California*, and met other requirements. The bill would authorize the holder of an

American Indian languages eminence credential to teach the ~~tribal American Indian~~ language for which ~~he or she is credentialed in a school district, public charter school, education services district, community college, or institution of higher education~~ *the credential was issued in California public schools in preschool, kindergarten, grades 1 to 12, inclusive, and in adult education courses*, and would make the holder of that credential eligible for a professional clear teaching credential upon completion of a specified period of time. The bill would ~~authorize~~ *encourage* each federally recognized American Indian tribe to develop a written and oral assessment that should be *successfully* completed before ~~the~~ *an* applicant is recommended for an American Indian languages eminence credential. ~~The bill would require the commission to establish the cost of registration for the credential based on the actual cost of maintaining records of those credentials.~~

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

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

- 1 SECTION 1. The Legislature finds and declares the following:
- 2 (a) Teaching American Indian languages is essential to the
- 3 proper education of American Indian children.
- 4 (b) Preserving American Indian languages is an important part
- 5 of our national heritage and can be of value to all Americans.
- 6 ~~SEC. 2. Section 44262 of the Education Code is amended to~~
- 7 ~~read:~~
- 8 ~~44262. (a) (1) Upon the recommendation of the governing~~
- 9 ~~board of a school district, the commission may issue an eminence~~
- 10 ~~credential to any person who has achieved eminence in a field of~~
- 11 ~~endeavor taught or service practiced in the public schools of~~
- 12 ~~California. This credential shall authorize teaching or the~~
- 13 ~~performance of services in the public schools in the subject or~~
- 14 ~~subject area or service and at the level or levels approved by the~~
- 15 ~~commission as designated on the credential.~~
- 16 ~~(2) Each credential so issued shall be issued initially for a~~
- 17 ~~two-year period and may be renewed for a three-year period by~~
- 18 ~~the commission upon the request of the governing board of the~~
- 19 ~~school district. Upon completion of the three-year renewal period,~~
- 20 ~~the holder of an eminence credential shall be eligible upon~~
- 21 ~~application for a professional clear teaching credential.~~

1 ~~(b) (1) Upon recommendation of the tribal government of a~~
2 ~~federally recognized Indian tribe in California, the commission~~
3 ~~shall issue an American Indian languages eminence credential to~~
4 ~~a candidate who has demonstrated eminence in that tribal language~~
5 ~~based on an assessment developed and administered by that~~
6 ~~federally recognized Indian tribe. The American Indian languages~~
7 ~~eminence credential shall authorize the holder to teach the~~
8 ~~American Indian language for which the credential was issued in~~
9 ~~California public schools.~~

10 ~~(2) Each American Indian languages eminence credential shall~~
11 ~~be issued initially for a two-year period and may be renewed for~~
12 ~~a three-year period upon recommendation of the tribal government.~~
13 ~~Upon completion of the three-year period, the holder of an~~
14 ~~American Indian languages eminence credential shall be eligible~~
15 ~~upon application for a professional clear teaching credential for~~
16 ~~that language.~~

17 ~~SEC. 3. Article 14 (commencing with Section 44410) is added~~
18 ~~to Chapter 2 of Part 25 of Division 3 of Title 2 of the Education~~
19 ~~Code, to read:~~

20
21 ~~Article 14. American Indian Languages Eminence Credential~~

22
23 ~~44410. The department and the commission shall establish an~~
24 ~~American Indian languages eminence credential.~~

25 ~~44411. (a) Each federally recognized American Indian tribe~~
26 ~~may develop a written and oral assessment that should be~~
27 ~~successfully completed before an applicant is recommended for~~
28 ~~an American Indian languages eminence credential.~~

29 ~~(b) In developing the language assessment, an Indian tribe~~
30 ~~should determine all of the following:~~

31 ~~(1) Which dialects of the tribal language will be included in the~~
32 ~~assessment.~~

33 ~~(2) Whether the Indian tribe will standardize its writing system.~~

34 ~~(3) The standard of knowledge and fluency required to qualify~~
35 ~~for an American Indian languages eminence credential in their~~
36 ~~tribal languages.~~

37 ~~(4) Standards for effective teaching methods to be evaluated in~~
38 ~~the classroom.~~

1 ~~(e) The tribe should also discuss the commitment to bear all~~
2 ~~costs associated with American Indian languages eminence~~
3 ~~credentialing.~~

4 ~~(d) The assessment should be administered at an appropriate~~
5 ~~location that does not create hardship for members of the Indian~~
6 ~~tribe administering the assessment.~~

7 ~~44412. Upon affirmation that candidate for an American Indian~~
8 ~~languages eminence credential has demonstrated knowledge and~~
9 ~~fluency at the required standard, the commission shall register the~~
10 ~~candidate. The commission shall then issue an American Indian~~
11 ~~languages eminence credential for three years to the candidate.~~
12 ~~The American Indian languages eminence credential may be~~
13 ~~renewed every two years by the credential holder through the tribe~~
14 ~~that administered the assessment and then registered with the~~
15 ~~commission.~~

16 ~~44413. (a) The commission shall accept candidates for the~~
17 ~~American Indian languages eminence credential who have met all~~
18 ~~of the following requirements:~~

19 ~~(1) The candidate has been certified by the tribal government~~
20 ~~as having demonstrated the tribal language standards of knowledge~~
21 ~~and fluency established by the tribal government.~~

22 ~~(2) The candidate's tribal government has paid the cost of~~
23 ~~registering the credential.~~

24 ~~(b) The commission shall establish the cost of registration based~~
25 ~~on the actual cost of maintaining records of these credentials. The~~
26 ~~costs may be recalculated every three years, beginning in 2013.~~

27 ~~(c) Except for conviction of a felony and California's required~~
28 ~~background check, the commission may not require that candidates~~
29 ~~meet any other criteria than certification by the tribal government~~
30 ~~that the individual has demonstrated eminence in the tribal~~
31 ~~language.~~

32 ~~44414. (a) An American Indian languages eminence credential~~
33 ~~qualifies the holder to teach in a school district, public charter~~
34 ~~school, education services district, community college, or~~
35 ~~institution of higher education.~~

36 ~~(b) The holder of an American Indian languages eminence~~
37 ~~credential who does not also have a valid teaching credential issued~~
38 ~~by the State of California may not teach in a public school,~~
39 ~~including a charter school, any subject other than the American~~
40 ~~Indian language for which he or she is credentialed.~~

1 ~~44415. Upon agreement by the tribe, a tribe submitting a~~
2 ~~candidate for an American Indian languages eminence credential~~
3 ~~shall develop and administer a technical assistance program. The~~
4 ~~program shall be offered by teachers credentialed in an American~~
5 ~~Indian language who have three or more years of teaching~~
6 ~~experience. The technical assistance program may consist of direct~~
7 ~~classroom observation and consultation, assistance in instructional~~
8 ~~planning and preparation, support in implementation and delivery~~
9 ~~of classroom instruction, and other assistance intended to enhance~~
10 ~~the professional performance and development of the American~~
11 ~~Indian language teacher.~~

12 *SEC. 2. Section 44262.5 is added to the Education Code, to*
13 *read:*

14 *44262.5. (a) Upon recommendation of the tribal government*
15 *of a federally recognized Indian tribe in California, the commission*
16 *shall issue an American Indian languages eminence credential to*
17 *a candidate who has met the following requirements:*

18 *(1) Demonstrated eminence in that tribe's language based on*
19 *an assessment developed and administered by that federally*
20 *recognized Indian tribe pursuant to subdivision (e).*

21 *(2) Successfully completed a criminal background check*
22 *conducted under Sections 44339, 44340, and 44341 for*
23 *credentialing purposes.*

24 *(3) Submitted an application, fee, and recommendation for the*
25 *credential to the commission through the federally recognized*
26 *Indian tribe.*

27 *(b) The American Indian languages eminence credential shall*
28 *authorize the holder to teach the American Indian language for*
29 *which the credential was issued in California public schools in*
30 *preschool, kindergarten, grades 1 to 12, inclusive, and in adult*
31 *education courses.*

32 *(c) The holder of an American Indian languages eminence*
33 *credential who does not also have a valid teaching credential*
34 *issued by the State of California shall not teach in a public school,*
35 *including a charter school, any subject other than the American*
36 *Indian language for which he or she is credentialed.*

37 *(d) Each American Indian languages eminence credential shall*
38 *be issued initially for a two-year period and may be renewed for*
39 *a three-year period upon recommendation of the tribal government*
40 *and the governing board of the school district. Upon completion*

1 of the three-year period, the holder of an American Indian
2 languages eminence credential shall be eligible, upon application,
3 for a clear teaching credential for that language.

4 (e) (1) Each federally recognized American Indian tribe is
5 encouraged to develop a written and oral assessment that should
6 be successfully completed before an applicant is recommended
7 for an American Indian languages eminence credential.

8 (2) In developing the language assessment, an Indian tribe
9 should determine all of the following:

10 (A) Which dialects of the tribal language will be included in the
11 assessment.

12 (B) Whether the Indian tribe will standardize its writing system.

13 (C) The standard of knowledge and fluency required to qualify
14 for an American Indian languages eminence credential in that
15 tribal language.

16 (D) Standards for effective teaching methods to be evaluated
17 in the classroom.

18 (3) The assessment should be administered at an appropriate
19 location that does not create hardship for members of the Indian
20 tribe administering the assessment.

21 (f) Upon agreement by the tribe, a tribe recommending a
22 candidate for an American Indian languages eminence credential
23 shall develop and administer a technical assistance program. The
24 program shall be offered by teachers credentialed in an American
25 Indian language who have three or more years of teaching
26 experience. The technical assistance program may consist of direct
27 classroom observation and consultation, assistance in instructional
28 planning and preparation, support in implementation and delivery
29 of classroom instruction, and other assistance intended to enhance
30 the professional performance and development of the American
31 Indian language teacher.

32 (g) Public school personnel responsible for evaluating teachers,
33 in accordance with local governing board policy, shall provide
34 individuals employed to teach on the basis of the American Indian
35 languages credential with information on the teaching personnel
36 evaluation process and the California Standards for the Teaching
37 Profession.

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