

Assembly Bill No. 2160

Passed the Assembly April 22, 2010

Chief Clerk of the Assembly

Passed the Senate August 2, 2010

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 44265.1 of the Education Code, relating to teacher credentialing.

LEGISLATIVE COUNSEL'S DIGEST

AB 2160, Bass. Teacher credentialing: instruction to pupils with autism.

The Commission on Teacher Credentialing is authorized to issue teaching and services credentials, and is required to establish standards and procedures for the issuance and renewal of credentials. Existing law authorizes a local educational agency or school to assign a teacher who holds a level 1 education specialist credential to provide instruction to pupils with autism, subject to specified requirements. Existing law makes those provisions inoperative 2 years after the commission adopts regulations relating to the requirements for obtaining a specialist credential in special education, or on August 31, 2011, whichever occurs first, and repeals those provisions on January 1, 2012.

This bill would delete the provision requiring the education specialist credential to be a level 1 credential, would extend the inoperative date to October 1, 2013, and would repeal those provisions on January 1, 2014. The bill would express various findings and declarations of the Legislature, and would delete obsolete provisions.

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

SECTION 1. (a) The Legislature finds and declares the following:

(1) In enacting Assembly Bill 2302 of the 2007–08 Regular Session (Stats. 2008, Ch. 41) the Legislature acknowledged the growing disparity between the growth of autism spectrum disorders and the failure of the state to issue a sufficient number of education specialist credentials that authorize the holders to provide instruction to pupils with moderate to severe disabilities.

(2) Existing law authorizes 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.

(3) In accordance with existing law, the Commission on Teacher Credentialing reported to the Legislature and the Governor in December 2007 recommendations to modify current credentialing standards.

(4) The existing law is set to be repealed no later than January 1, 2012.

(b) It is the intent of the Legislature to extend the date of the repeal of Section 44265.1 of the Education Code until January 1, 2014, in order to allow all teachers working under the current legislative requirements to adhere to the approved program standard changes.

SEC. 2. Section 44265.1 of the Education Code is amended to read:

44265.1. (a) Notwithstanding any other provision of law, a local educational agency or school may assign a teacher who holds an 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 by Section 300.8(c)(1) of Title 34 of the Code of Federal Regulations if the teacher consents to the assignment and satisfies the criteria described in subdivision (b).

(b) The local educational agency or school shall determine that a teacher described in subdivision (a) has satisfied either of the following prior to allowing the teacher to provide instruction to pupils with autism:

(1) He or she has provided full-time instruction for at least one year prior to September 1, 2007, in a special education program that serves pupils with autism pursuant to their individualized education programs and received a favorable evaluation or recommendation to teach pupils with autism from the local educational agency or school.

(2) He or she has completed a minimum of three semester units of coursework in the subject of autism offered by a regionally accredited institution of higher education. The local educational

agency or school shall maintain the certificate or other verification of completion of the coursework on file in its office.

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

(d) This section shall become inoperative on October 1, 2013, and is repealed on January 1, 2014, unless a later enacted statute that is enacted before January 1, 2014, deletes or extends the dates on which it becomes inoperative and is repealed.

Approved _____, 2010

Governor