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# 5B

## Action

*Legislative Committee*

**Analyses of Bills**

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### AGENDA INSERT

**Executive Summary:** Staff will present analyses of educator preparation or licensing bills introduced by Legislators. The analyses will summarize current law, describe the bill's provisions, estimate its costs and recommend amendments, if applicable.

**Recommended Action:** Staff will recommend a position in each bill analysis submitted for the Commission's consideration.

**Presenter:** Mary Armstrong, Director, Office of Governmental Relations

**Strategic Plan Goal: 2**

**Support policy development related to educator preparation, conduct and professional growth.**

- ◆ Inform key legislators and policy makers on issues and ideas relevant to the Commission's scope of action.

April 2008

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# BILL ANALYSIS

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<b>Bill Number:</b>	<b>Assembly Bill 2302</b>
<b>Author:</b>	<b>Assembly Member Karen Bass</b>
<b>Sponsors:</b>	<b>The Author</b>
<b>Subject of Bill:</b>	<b>Authorization to Teach Students with Autism</b>
<b>Date Introduced:</b>	<b>February 21, 2008</b>
<b>Date Last Amended:</b>	<b>March 28, 2008</b>
<b>Status in Leg. Process:</b>	<b>Assembly Education Committee</b>
<b>Recommended Position:</b>	<b>Support</b>
<b>Date of Analysis:</b>	<b>April 4, 2008</b>
<b>Analyst:</b>	<b>Marilyn Errett</b>

## **Analysis of Bill Provisions**

AB 2302 would provide a new option for local educational agencies and schools to assign teachers who hold a credential authorizing the instruction of students with mild and moderate disabilities to serve students with autism. The measure would allow this option, with the teacher's consent, if the teacher meets one of the following requirements:

- 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.

Or

- 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 agencies and schools would be required to report teacher assignments based on this option as a part of the assignment monitoring process. The measure would become inoperative two years after the Commission on Teacher Credentialing (Commission) adopts regulations to implement the recommendations of its Special Education Workgroup or on August 31, 2011, whichever occurs first and would

be repealed on January 1, 2012 unless a later enacted statute extends or deletes the sunset date. (AB 2302 amends CA Education Code §44265.1)

AB 2302 is an urgency bill and would become effective immediately upon the Governor's signature.

### **Summary of Current Law**

California Education Code §44265 authorizes the Commission to set standards for and to issue specialist credentials in areas of special education and to establish the requirements for these credentials in regulation.

California Education Code §44265.1 requires the Commission to report to the Legislature by December 1, 2007, "...on the current existing process and requirements for obtaining a specialist credential in special education and recommend modifications to enhance and expedite these procedures." This work has been completed and the Commission is moving forward with the recommendations.

### **Commission Activity**

In December, 2007, the Commission adopted and forwarded to the Legislature recommendations from the Commission's Special Education Workgroup for updating and modifying Education Specialist Credentials as noted in the "Summary of Current Law" section of the agenda item. Recommendations included the need to address the increase of students with autism spectrum disorder in California public schools. When the Commission adopts revised program standards and programs begin to implement those standards, all candidates for Education Specialist Credentials, not just those earning the Moderate/Severe specialization as is currently the case, will be prepared to teach students with autism. The workgroup also recommended the development of a new autism authorization that can be added to the credential of a veteran teacher who is not currently authorized to teach autistic students, such as teachers who hold a credential with a Mild/Moderate specialization.

### **Fiscal Impact**

None

### **Relevant Commission Legislative Policies**

Policy 4: The Commission supports the maintenance of a thoughtful, cohesive approach to the preparation of credential candidates and opposes legislation that would tend to fragment or undermine the cohesiveness of the preparation of credential candidates.

## **Organizational Positions**

### **Support**

California Association of Private Special Education Schools  
Los Angeles Unified School District  
Association of Regional Center Agencies  
Applied Behavior Consultants, Inc.  
CA Association of School Psychologists  
Frostig Center School

### **Opposition**

None noted at this time.

## **Reason for Suggested Position**

The need to respond to an unprecedented increase in children diagnosed with autism spectrum disorder has been featured in the media and was recently the topic of a Blue Ribbon Legislative Panel chaired by Senator Darrell Steinberg (D-Sacramento). On April 2, 2008, Senate and Assembly leadership introduced a package of bills related to services for children affected by autism spectrum disorder. AB 2302 is one of those bills.

The Commission's "Report on the Study of Special Education Certification" noted that in the past five years there has been an eighty-eight percent increase in the need to provide services to students with autism spectrum disorder. While the recommendations of the Special Education Workgroup and the Commission's plan for implementing those recommendations have been noted as responsive and "on target," new programs will not be in place immediately. AB 2302 addresses an urgent need to staff classrooms. The measure coordinates well with the work of the Commission in that it recognizes the time necessary for the regulatory process, for new programs to begin, and for teachers to become prepared. At the same time, the measure provides an immediate option for teachers with a specialization in Mild/Moderate disabilities, who have additional experience or coursework in teaching students with autism, to be legally assigned to serve these students. As the Commission's work phases in, AB 2302 will sunset in a well-coordinated plan aimed at serving students.

For these reasons, staff recommends a **Support** position on AB 2302.

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## **BILL ANALYSIS**

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<b>Bill Number:</b>	<b>Assembly Bill 2226</b>
<b>Author:</b>	<b>Assembly Member Ira Ruskin</b>
<b>Sponsors:</b>	<b>The Author</b>
<b>Subject of Bill:</b>	<b>Acceptance of Coursework: Education Specialist Programs</b>
<b>Date Introduced:</b>	<b>February 20, 2008</b>
<b>Date Last Amended:</b>	<b>April 3, 2008</b>
<b>Status in Leg. Process:</b>	<b>Assembly Education Committee</b>
<b>Recommended Position:</b>	<b>Support</b>
<b>Date of Analysis:</b>	<b>April 4, 2008</b>
<b>Analyst:</b>	<b>Marilyn Errett</b>

### **Analysis of Bill Provisions**

AB 2226 would declare the Legislature's intent to encourage public or private institutions of higher education or a local educational agency that conducts a Commission-accredited program of professional preparation for the Education Specialist Credential in Special Education to accept coursework or field experience completed in another Commission-accredited preparation program if the coursework or field experience is determined by the institution or agency to be comparable.

In addition, AB 2226 would amend Education Code §44265.1 to require the Commission to convene a workgroup of interested parties including, but not limited to, representatives of the California State University, the University of California, private postsecondary institutions of higher education, local educational agencies, and organizations that represent public school educators, for the purpose of providing guidance to programs in determining the comparability of coursework or field experience completed in other Commission-accredited Education Specialist Credential programs. The Commission

would be required to report the workgroup's findings to the Legislature, the Governor and the Secretary of Education on or before December 1, 2009.

### **Summary of Current Law**

California Education Code §44265 authorizes the Commission to set standards for and to issue specialist credentials in areas of special education and to establish the requirements for these credentials in regulation.

California Education Code §44265.1 requires the Commission to report to the Legislature by December 1, 2007, "...on the current existing process and requirements for obtaining a specialist credential in special education and recommend modifications to enhance and expedite these procedures." This work has been completed and the Commission is moving forward with the recommendations.

### **Commission Activity**

In December, 2007, the Commission adopted and forwarded to the Legislature recommendations from the Commission's Special Education Workgroup for updating and modifying Education Specialist Credentials as noted in the "Summary of Current Law" section of the agenda item. While the Commission currently encourages programs to review previously completed coursework and field experience and to accept these courses and field experiences if they are found to be comparable, the Special Education Workgroup emphasized program flexibility and services to candidates including encouraging "transfer of credit."

### **Fiscal Impact**

Minor/Absorbable. Commission staff has indicated that this work could be incorporated into the existing special education workplan.

### **Relevant Commission Legislative Policies**

Policy 4: The Commission supports the maintenance of a thoughtful, cohesive approach to the preparation of credential candidates and opposes legislation that would tend to fragment or undermine the cohesiveness of the preparation of credential candidates.

## **Organizational Positions**

### **Support**

California Teachers Association

### **Opposition**

None noted at this time.

## **Reason for Suggested Position**

The Commission's Special Education Workgroup emphasized throughout their report the need for program flexibility as a means to recruit credential candidates. This need is particularly crucial in the context of the severe special education teacher shortage. In our mobile society, it is likely that many credential candidates will have taken coursework in another program. AB 2226 would build upon the current institutional authority to determine comparability and to accept courses by requiring the Commission to assist in this process by working with stakeholders to develop guidelines for voluntary use.

For these reasons, staff recommends a **Support** position on AB 2226.

# **APPENDIX A**

## **Legislative Guidelines And Possible Bill Positions**

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# LEGISLATIVE GUIDELINES OF THE CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

Adopted February 3, 1995

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1. The Commission supports legislation that proposes to maintain or establish high standards for the preparation of public school teachers and other educators in California and opposes legislation that would lower standards for teachers and other educators.
2. The Commission supports legislation that proposes to maintain or establish high standards of fitness and conduct for public school educators in California and opposes legislation that would lower standards of fitness or conduct for public school educators.
3. The Commission supports legislation that reaffirms that teachers and other educators have appropriate qualifications and experience for their positions, as evidenced by holding appropriate credentials, and opposes legislation that would allow unprepared persons to serve in the public schools.
4. The Commission supports the maintenance of a thoughtful, cohesive approach to the preparation of credential candidates and opposes legislation that would tend to fragment or undermine the cohesiveness of the preparation of credential candidates.
5. The Commission supports legislation that strengthens or reaffirms initiatives and reforms that it previously has adopted and opposes legislation that would undermine initiatives or reforms that it previously has adopted.
6. The Commission supports alternatives to existing credential requirements that maintain high standards for the preparation of educators and opposes alternatives that do not provide sufficient assurances of quality.
7. The Commission opposes legislation that would give it significant additional duties and responsibilities if the legislation does not include an appropriate source of funding to support those additional duties and responsibilities.
8. The Commission supports legislation that affirms its role as an autonomous teacher standards board and opposes legislation that would erode the independence or authority of the Commission.

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## Possible Bill Positions for Commission Consideration

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*The Commission may adopt a position on each bill considered for action. The following chart describes the bill positions. The Commission may choose to change a position on a bill at any subsequent meeting.*

**Sponsor:** Legislative concepts are adopted by the Commission and staff is directed to find an author for the bill and to aid the author's staff by providing background information and seeking support for the bill.

**Support:** The Commission votes to support a bill and directs staff to write letters of support to Legislative Committee members and to testify in support of the bill at Legislative Committee hearings. The Commission's support position will be recorded in the Legislative Committee's bill analysis. If the bill is successful in the Legislature, staff writes letters of support to the Governor.

**Support if Amended:** The Commission expresses support for the overall concept of a bill, but objects to one or more sections. The Commission votes to direct staff to contact the author with suggested amendments. If the bill is amended to reflect the Commission's recommendations, the Commission's position automatically becomes "Support."

**Seek Amendments:** The Commission expresses concern over one or more sections of the bill and votes to direct staff to contact the author with suggested amendments. If the bill is amended to reflect the Commission's recommendations, staff will inform the Commission at a subsequent meeting and ask if the Commission would like to adopt a new position.

**Watch:** The Commission expresses interest in the content of the bill but votes to direct staff to "watch" the bill for future amendments or for further movement through the Legislative process. Early in the Legislative session, the Commission may wish to adopt a "watch" position on bills that are not yet fully formed.

**Oppose Unless Amended:** The Commission objects strenuously to one or more sections of the bill and votes to direct staff to contact the author with suggested amendments. If the bill is not amended to reflect the Commission's recommendations, the Commission may vote to adopt an "Oppose" position at a subsequent meeting. If the bill is amended to reflect the Commission's recommendations, staff will inform the Commission at a subsequent meeting and ask if the Commission would like to adopt a new position.

**Oppose:** The Commission expresses opposition to the overall concept of a bill and votes to direct staff to write letters of opposition to Legislative Committee members and to testify in opposition to the bill at Legislative Committee hearings. The Commission's "oppose" position will be recorded in the Legislative Committee bill analysis. If the bill is successful in the Legislature, staff writes letters of opposition to the Governor.

**No Position:** The Commission may choose to delay taking a position on a bill and may vote to direct staff to bring the bill forward at a subsequent meeting. The Commission may also choose to direct staff not to bring the bill forward for further consideration.