

Date of Hearing: April 10, 2024

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
AB 1938 (Gallagher) – As Introduced January 29, 2024

SUBJECT: Special education: inclusive practices and strategies

SUMMARY: Defines inclusive practices and strategies to improve student outcomes to mean placement in settings that provide full access to language and specialized services, defines least restrictive environment (LRE) to include specific placements, and requires that any discussion of deaf, hard of hearing (DHH), blind or visually impaired (VI), or deaf-blind (DB) students in the local education agency (LEA) setting ensure the input and participation of the DHH, VI, or DB communities through community advisory committees (CACs). Specifically, **this bill:**

- 1) Defines inclusive practices and strategies to improve student outcomes to mean placement in settings that provide full access to language and specialized services.
- 2) Requires that placement settings that provide full access to language and specialized services for DHH, VI, or DB children be considered by the team implementing an individualized education program (IEP) or individual family service plan (IFSP) to serve as the LRE for the child.
- 3) States that, for purposes of this measure, LRE may include, but not necessarily be limited to, the California Schools for the Deaf, the California School for the Blind, or nonprofit organizations, including, but not limited to, nonpublic, nonsectarian schools or agencies that specialize in serving DHH, VI, or DB infants and children.
- 4) Defines, for purposes of this measure, “full access to language and specialized services” to mean a level of access consistent with specified findings and declarations regarding DHH students, known as the Deaf Children’s Bill of Rights.
- 5) Requires that, in implementing these requirements, any discussion of DHH, VI, or DB students in the LEA setting, including for generalization trainings or universal design for learning (UDL), ensure the input and participation of the DHH, VI, or DB communities through CACs.
- 6) States that nothing in the measure shall be construed as modifying or otherwise affecting the right of students with disabilities, including students who are DHH, VI, or DB, to a free and appropriate public education (FAPE) pursuant to the federal Individuals with Disabilities Education Act (IDEA), the development of an individualized education program (IEP), or the IEP team’s determination of placement, aids to ensure effective communication, or the continuum of program options.

EXISTING LAW:

- 1) Requires that, in accordance with federal law, a FAPE be available to individuals with exceptional needs.

- 2) Requires that every individual with exceptional needs who is eligible to receive special education instruction and related services receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her.
- 3) Requires that, in accordance with federal law, each public agency ensure the following to address the LRE for individuals with exceptional needs such that:
 - a) To the maximum extent appropriate, individuals with exceptional needs, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
 - b) Special classes, separate schooling, or other removal of individuals with exceptional needs from the regular educational environment occurs only if the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
- 4) Requires an IEP team, when developing an IEP, to consider the following special factors:
 - a) In the case of a student who is VI, provide for instruction in braille, and the use of braille, unless the IEP team determines, after an assessment of the student's reading and writing skills, needs, and appropriate reading and writing media, including an assessment of the student's future needs for instruction in braille or the use of braille, that instruction in braille or the use of braille is not appropriate for the student.
 - b) Consider the communication needs of the student, and in the case of a student who is DHH, consider the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode. (Education Code (EC) 56341.1)
- 5) States the following Legislative findings and declarations:
 - a) Deafness involves the most basic of human needs—the ability to communicate with other human beings. Many DHH children use an appropriate communication mode, sign language, which may be their primary language, while others express and receive language orally and aurally, with or without visual signs or cues. Still others, typically young DHH children, lack any significant language skills. It is essential for the well-being and growth of DHH children that educational programs recognize the unique nature of deafness and ensure that all DHH children have appropriate, ongoing, and fully accessible educational opportunities.
 - b) It is essential that DHH children, like all children, have an education in which their unique communication mode is respected, utilized, and developed to an appropriate level of proficiency.
 - c) It is essential that DHH children have an education in which special education teachers, psychologists, speech therapists, assessors, administrators, and other special education personnel understand the unique nature of deafness and are specifically trained to work

with DHH students. It is essential that DHH children have an education in which their special education teachers are proficient in the primary language mode of those children.

- d) It is essential that DHH children, like all children, have an education with a sufficient number of language mode peers with whom they can communicate directly and who are of the same, or approximately the same, age and ability level.
 - e) It is essential that DHH children have an education in which their parents and, where appropriate, DHH people are involved in determining the extent, content, and purpose of programs.
 - f) DHH children would benefit from an education in which they are exposed to DHH role models.
 - g) It is essential that DHH children, like all children, have programs in which they have direct and appropriate access to all components of the educational process, including, but not limited to, recess, lunch, and extracurricular social and athletic activities.
 - h) It is essential that DHH children, like all children, have programs in which their unique vocational needs are provided for, including appropriate research, curricula, programs, staff, and outreach.
 - i) Each DHH child should have a determination of the LRE that takes into consideration these legislative findings and declarations.
 - j) Given their unique communication needs, DHH children would benefit from the development and implementation of regional programs for children with low-incidence disabilities. (EC 56000.5)
- 6) Establishes the Inclusive Early Education Expansion Program for the purpose of increasing access to inclusive early care and education programs. Authorizes competitive grants to increase access to subsidized inclusive early care and education programs for children up to five years of age, including those defined as “children with exceptional needs” in low-income and high-need communities.

FISCAL EFFECT: This bill has been keyed a state-mandated local program by the Office of Legislative Counsel.

COMMENTS:

Need for the bill. The author states, “Supporting our most vulnerable children—those who are deaf, hard of hearing, blind, visually impaired, or deaf-blind—is not just important, it’s imperative. The strides we’re making in California to provide these students with full access to language and specialized services are vital. It’s about giving every child the chance to succeed and ensuring no one is left behind. This is the foundation of a truly inclusive society.”

LRE for DHH students. This bill defines the LRE for DHH, VI, and DB students, for purposes of the measure, to include, but not necessarily be limited to, the California Schools for the Deaf, the California School for the Blind, or nonprofit organizations, including, but not limited to, nonpublic, nonsectarian schools or agencies that specialize in serving DHH, VI, or DB infants

and children. This list does not include, but also does not exclude, placements in LEAs and charter schools.

While for most students LRE means educating students with disabilities with their non-disabled peers, state and federal law have long recognized that for some DHH students the LRE may be a specialized setting in which these students are educated with other DHH students.

State and federal law have long emphasized the importance of considering the language and communication needs of children who are DHH. Federal law specifically requires LEAs to “consider, among other things, the communication needs of the student, and in the case of a student who is deaf or hard of hearing, consider the student’s language and communication needs, opportunities for direct communications with peers and professional personnel in the student’s language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student’s language and communication mode.” The Legislative Analyst’s Office (LAO) has noted that “given the difficulty DHH students and their hearing peers have conversing with each other, DHH students in mostly hearing environments can be socially isolated. One strategy to prevent social isolation is to ensure these students attend schools with a critical mass of DHH peers.”

The California Department of Education (CDE) notes, in their Position Statement on Language Access, that “It is essential that DHH children, like all children, have an education with a sufficient number of language mode peers with whom they can communicate directly and who are of the same, or approximately the same, age and ability level.”

The U.S. Department of Education’s (USDOE) Office of Civil Rights has affirmed in policy guidance that “meeting the unique communication and related needs of a student who is deaf is a fundamental part of providing a free appropriate public education (FAPE) to the child...Any setting which does not meet the communication and related needs of a child who is deaf, and therefore does not allow for the provision of FAPE, cannot be considered the LRE for that child. The provision of FAPE is paramount, and the individual placement determination about LRE is to be considered within the context of FAPE.”

Concern that efforts to promote inclusion will restrict DHH access to communication. As noted above, the LRE for some DHH students may mean a specialized placement in order to ensure communication access.

According to a coalition of organizations supporting this bill, this is not always understood or respected at the local level, and recent inclusion efforts for all students with disabilities are putting specialized placements for DHH students at risk. In an effort to promote inclusion among other students with disabilities, DHH students may be placed in isolating settings (for example, an ASL-using student placed in a general education classroom with interpreters), without full access to language and unable to communicate fully with peers and educators.

This coalition expresses concern that, “Currently there is no mention in the state Education Code on what inclusion education or inclusive practices means for children who are deaf, hard of hearing, blind, visually impaired, or deaf-blind. Yet there are a number of local school district, state, and federal efforts underway to advance inclusive education. None of these efforts adequately address the most basic needs for deaf, hard of hearing, blind, visually impaired, or deaf-blind to learn in a classroom.”

The Deaf Children's Bill of Rights. This bill defines, for purposes of the measure, “full access to language and specialized services” to mean a level of access consistent with findings and declarations known as the Deaf Children’s Bill of Rights.

AB 1836 (Eastin), Chapter 1126, Statutes of 1994, established the Deaf Children’s Bill of Rights. This measure codified a set of legislative findings and declarations, described above, regarding the education of deaf children, including the need for placement in settings that ensure access to communication.

With regard to the determination of the LRE for DHH children, the CDE states, “the Deaf Child’s Bill of Rights plays a key role when an IFSP or an IEP team convenes to consider the needs of Deaf and hard-of-hearing children. This bill stipulates that when the IFSP or IEP team is developing goals and objectives for a Deaf or hard of hearing child, it must consider several factors.” The CDE lists as examples of these factors:

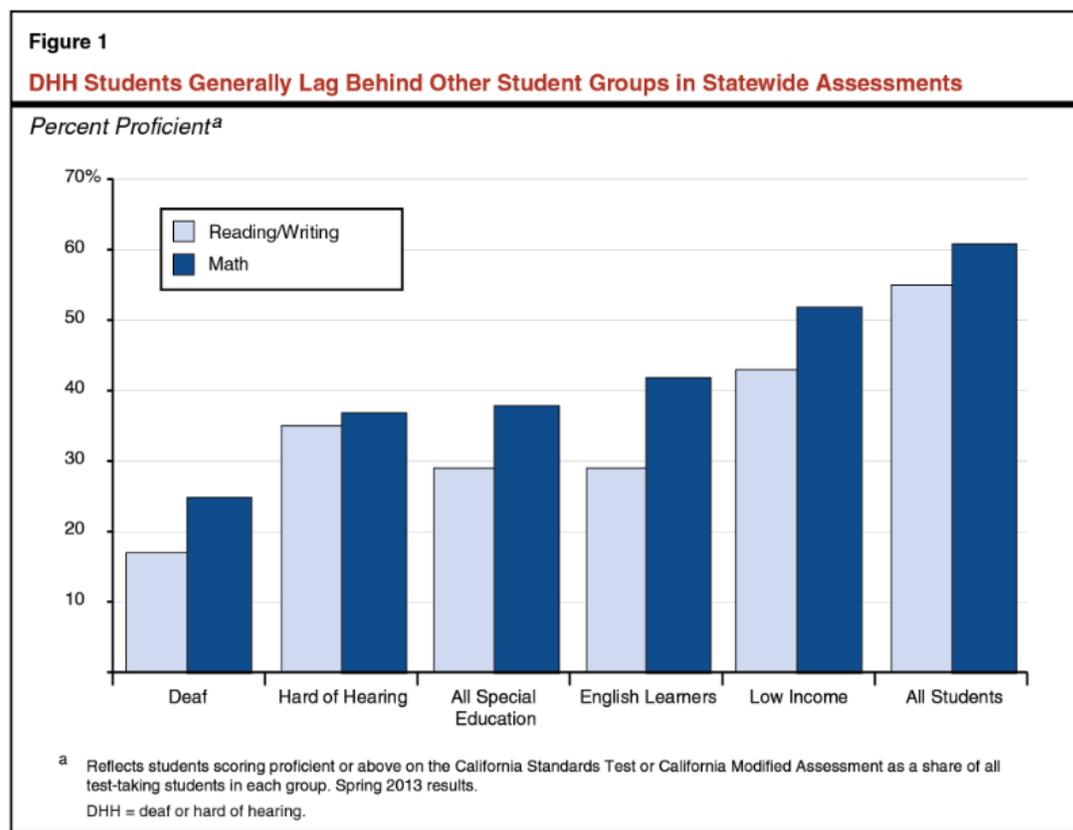
- Does the student have a sufficient number of schoolmates who are similar in age, language, and learning ability?
- Are the teachers and other professionals who work with the child skilled in the child’s language and way of communicating?
- Are the critical elements of the educational program (i.e., a
- cademic instruction, school services, and extracurricular activities) available in the child’s language and way of communicating?

Language deprivation among DHH students in California. Historically, many DHH students have struggled academically because of their limited exposure to language early in life. This lack of access to language is sometimes called “language deprivation.”

The LAO notes that “young children develop important cognitive skills by listening and responding to the language that surrounds them every day. As DHH children cannot listen and respond to spoken language as early as their hearing peers, they often develop early language delays that hinder future academic progress. These delays tend to be more pronounced in DHH children born to hearing parents, as hearing parents tend to be less familiar with modes of communications that help DHH children develop in their early years. About 90% of DHH children are born to hearing parents.”

However, research has demonstrated that children who are deaf are identified and enrolled in appropriate Early Start services by six months of age can develop language and cognitive skills commensurate with their non-deaf peers.

The largest data set representing the language development of DHH students on standardized tests comes from a longitudinal study using the Stanford Achievement Test. This research began in 1969 and ran for over thirty years. It measured normative performance of DHH students ages 8 to 18 years old on reading comprehension tests, and found that, between 1974 and 2003, median performance never exceeded the fourth-grade equivalent for any age cohort. It also noted persistent problems in designing a valid and reliable way to measure the academic performance of DHH students.



As shown in the table above, data obtained by the LAO through a request to the CDE indicate that, in the 2012-13 academic year:

- DHH students performed relatively poorly on statewide assessments, with fewer than 35% scoring at or above grade level on reading/writing and mathematics; and
- Among DHH students, deaf students performed worse than those who are hard of hearing, particularly on assessments of reading/writing; and DHH students also generally performed worse on statewide assessments than other groups of students, including students from low-income families, English learners, and other students with disabilities.

The Committee may wish to consider that outcome data disaggregated by disability is not published by the CDE, and that more recent data, which would reflect scores on the current summative assessments of ELA and mathematics and the accommodations those assessments offer, is not publicly available.

Data from the Desired Results Developmental Profile (DRDP), which assesses children ages 0-3 years old was reported pursuant to SB 210 (Galgiani), Chapter 652, Statutes of 2015. These data show, for 2018:

- 74.7 % of children who are deaf were at age expectation compared to the sample of same-age children; and
- 92.1% of children who are hard of hearing were at age expectation compared to a sample of same-age children.

Additional DRDP language outcome data, comparing DHH children with other children with IEPs or IFSPs, is shown below:

Table 2. Infants/Toddlers (Birth to Age 3) Age Expectation Calculations for Language Domain (Fall 2018)

Infants / Toddlers	Not at Age Expectation	Close to Age	At Age Expectation	Total
Deaf	4 (2.0%)	8 (3.9%)	191 (94.1%)	203
Hard of Hearing	8 (0.6%)	30 (2.2%)	1,300 (97.2%)	1,338
All Children with IFSPs	279 (5.3%)	420 (7.9%)	4,612 (86.8%)	5,311

Table 3a. Preschool (3-5) Age Expectation Calculations for Language Domain (Fall 2018)

Preschoolers	Not at Age Expectation	Close to Age Expectation	At Age Expectation	Total
Deaf	32 (14.1%)	65 (28.6%)	130 (57.3%)	227
Hard of Hearing	24 (3.8%)	94 (14.9%)	514 (81.3%)	632
All Children with IEPs Assessed	5,232 (13.3%)	8,063 (20.6%)	25,900 (66.1%)	39,195

Source: SB 210 Report for 2018-19 Academic Year, Desired Results Access Project

What is inclusion? There are multiple definitions of “inclusion,” but most include the following elements:

- Students with disabilities are educated in general education settings with appropriate supports;
- Students with disabilities participate in other school programs as full members of the school community;
- Staff support universal access to education; and
- Staff are provided the knowledge, resources, and support to effectively teach all students.

Inclusion and “mainstreaming” are sometimes used interchangeably, but these terms have distinct meanings. Mainstreaming generally refers to the practice of placing students with

disabilities, who otherwise are educated in separate settings, in the general education setting for specified periods of time or for specific activities. Inclusion, in contrast, refers to the practice of placing students with disabilities in the general education setting with appropriate supports.

Research on the effect of inclusion on students with and without disabilities. Research on inclusion conducted over the last thirty years has found numerous benefits for students with disabilities and students without disabilities (National Council on Disability, 2018). When students are included, they have more access to the general curriculum and effective instruction, and as a result they achieve:

- Higher rates of academic performance in language arts and mathematics;
- Fewer absences from school;
- Fewer referrals for disruptive behavior;
- Higher likelihood of attending college;
- Better employment and independent living outcomes after high school;
- Improved communication;
- Improved expressive language and literacy skills;
- More satisfying and diverse friendships;
- Higher levels of social engagement with peers without disabilities;
- Less disruptive behavior; and
- More social competence/

Although students with extensive support needs (i.e., students with intellectual disabilities, multiple disabilities, autism) have higher rates of segregated schooling, research shows that these students actually accrue more academic benefits when included in general education instruction, particularly increases in literacy skills.

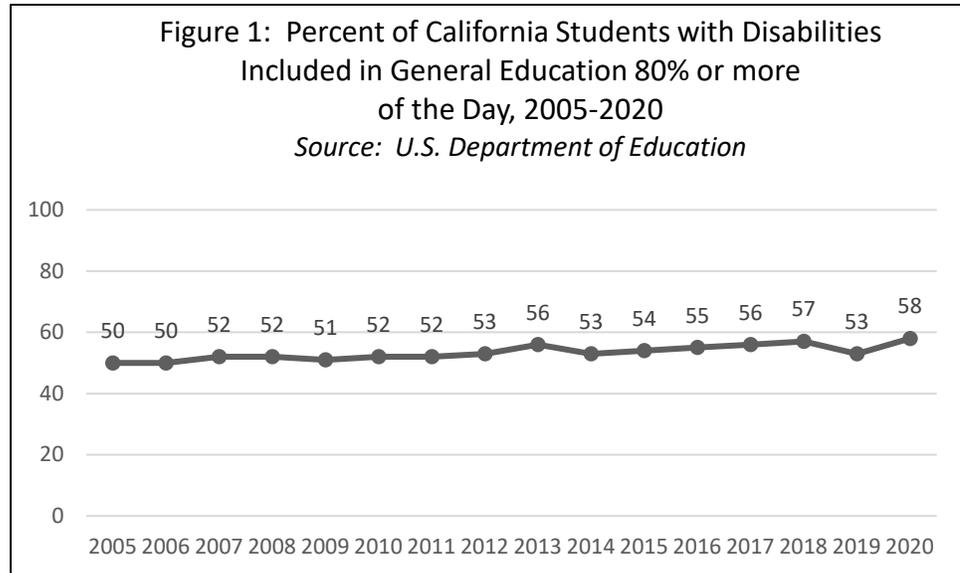
Research has found that the inclusion of students with disabilities has either a positive effect or no negative effect on the academic, social, and personal development of students without disabilities when they are educated with peers who have intellectual, learning, or other disabilities. Research has found that inclusion benefits students without disabilities, through:

- Positive effect, or no negative effect, on academic, social, and personal development;
- Reduced fear of human differences;
- Increased comfort and awareness of differences;
- Growth in social cognition;
- Improvements in self concept; and
- Growth of ethical principles.

How inclusive are California schools?

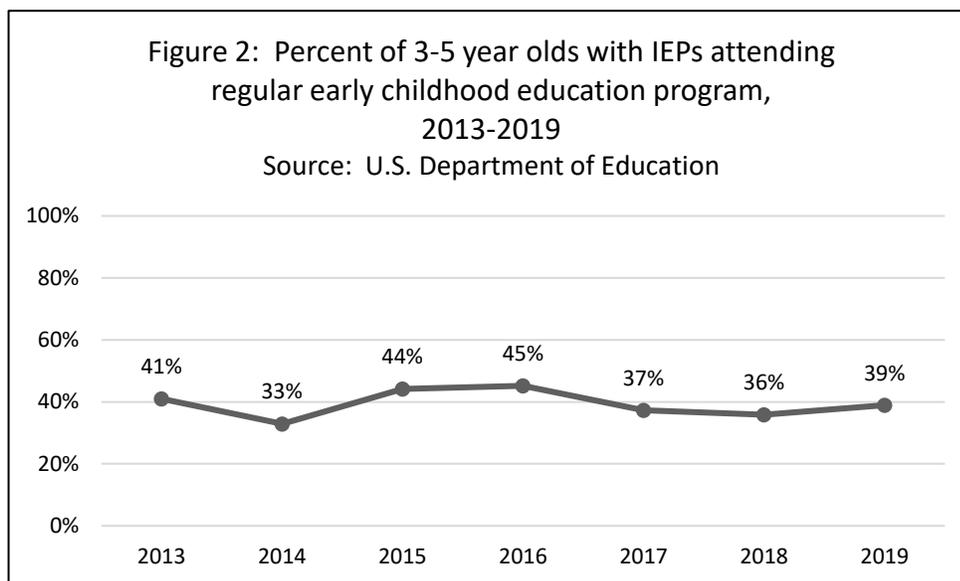
The IDEA requires each state to develop a State Performance Plan (SPP) and an Annual Performance Report (APR) that evaluates the state's efforts to comply with federal law, and how the state will improve its implementation.

The APR consists of 17 indicators. One of the indicators (5a) is LRE, defined as the percent of students with disabilities, ages six to twenty-two, served inside the regular class 80% or more of the day.



As shown in Figure 1, California's rate of inclusion of students with disabilities for 80% or more of the day remained relatively constant in recent years, rising from 50% in 2005 to 58% in 2020. Historically, California has had low rates of inclusion compared to other states. According to the National Center for Education Statistics, nationally, the percentage who spent 80% or more of their time in general classes in regular schools increased from 59% in 2009 to 65% in fall 2019.

Additionally, as shown in Figure 3, the rate of inclusion varies significantly by disability, with students with speech or language impairments included at a rate of 82%, and students with multiple disabilities included at a rate of 4%.

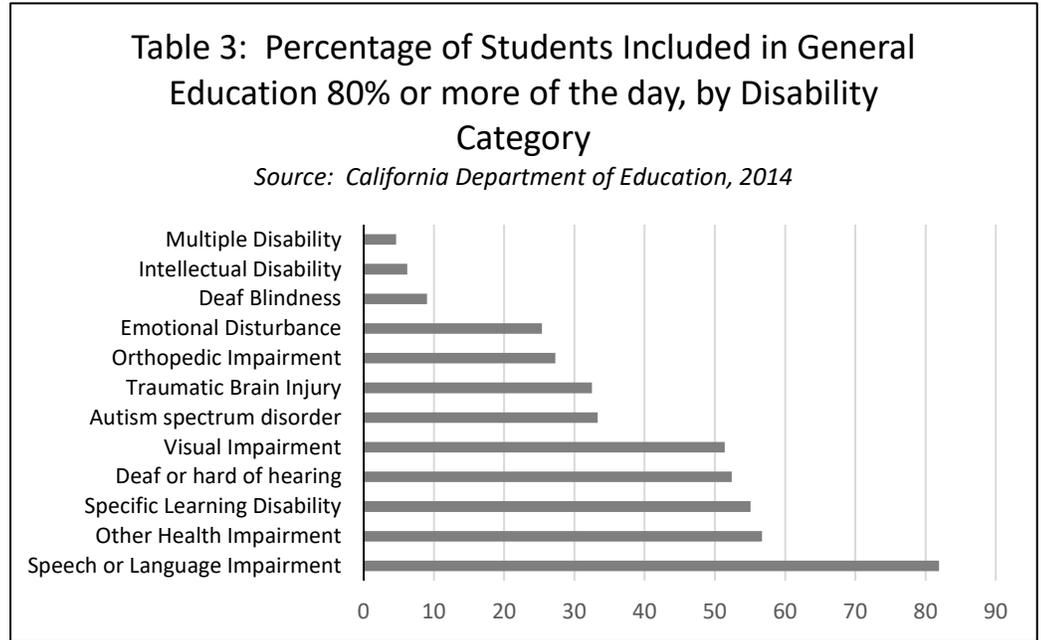


SPP indicator (6a) relates to preschool inclusion, requiring states to report on the percentage of children with IEPs ages 3 to 5 years old attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program.

As shown in Figure 2, less than half of California preschool-aged children with disabilities attend regular early childhood education programs and receive the majority of their services in that

program. However, performance on this indicator has increased in recent years, rising from 20.2% in 2011 to 38% in 2019. The rate declined to 29% in 2020. New targets adopted for the current six-year cycle set the goal for this indicator at 49% by 2025.

The State Board of Education (SBE) adopted revised SPP targets in January, 2022. With regard to the state target for LRE, adopted targets increase from 53% in 2019 to 70% in 2025. *The Committee may wish to consider that,* considering the slow progress the state has made in this area to date, and the increase in inclusion required by 2025, significant support will be needed to achieve the state’s new targets.



Arguments in support. The California Association of the Deaf writes, “Students have a fundamental right to an education and the state is responsible to ensure all students have the most basic resources they need to learn. Without full access to language and specialized services there is no opportunity for a child’s brain to develop and no opportunity for a child to learn or receive an education.

Currently there is no mention in the state Education Code on what inclusion education or inclusive practices means for children who are deaf, hard of hearing, blind, visually impaired, or deaf-blind. Yet there are a number of local school district, state, and federal efforts underway to advance inclusive education. None of these efforts adequately address the most basic needs for deaf, hard of hearing, blind, visually impaired, or deaf-blind to learn in a classroom.

Providing children who are deaf, hard of hearing, blind, visually impaired, or deaf-blind full access to language and specialized services during their early school years is critical, particularly as language becomes more complex. When language access and specialized services are not available, the majority of these children arrive at kindergarten with language deficits.

As the Individualized Family Service Plan (IFSP) and Individualized Education Program (IEP) teams continue to decide the least restrictive environment for a child, placement for children who are deaf, hard of hearing, blind, visually impaired, or deaf-blind, must mean placement in settings that provide full access to language and specialized services.”

Recommended Committee amendments. Due to concerns about 1) establishing a new definition of LRE in state law that may be distinct from federal law; 2) suggesting that LEA placements are not the LRE for DHH, VI, and DB students; 3) concerns about diminishing the opportunity of VI

students to participate in the general education environment; and 4) feasibility of requiring each LEA to obtain input from DHH, VI, and DB stakeholders when discussing these students in the LEA setting or conducting inclusion or UDL trainings, ***staff recommends that this bill be amended*** to remove its current contents, except subdivision (c) of section 56040.6, and add the following:

- 1) When implementing inclusion and UDL initiatives for pupils aged 0 to 22 inclusive, LEAs shall consider all of the following with respect to the full language access needs of pupils who are DHH or Deaf-Blind, as defined in paragraph 2 of subdivision (a) of Section 56325.5, for the determination of the LRE:
 - a) The legislative findings and declarations in subdivision (b) of Section 56000.5.
 - b) The importance of taking into consideration findings and declarations in subdivision (b) of Section 56000.5 when determining the LRE for a DHH or Deaf-Blind pupil.
 - c) Federal law (300.114 (a)(2)(ii)), requires each public agency to ensure that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
 - d) Federal law, as specified in section 300.324 (a)(2)(iv) of the IDEA, requires IFSP and IEP teams in the case of a child who is DHH or Deaf-Blind, to consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and a full range of needs, including opportunities for direct instruction in the child's language and communication mode.
 - e) Federal guidance states that meeting the unique communication and related needs of a pupil who is DHH or Deaf-Blind, is a fundamental part of providing a FAPE to the child.
 - f) Federal guidance states that the decision as to what placement will provide FAPE for an individual DHH or Deaf-Blind child, which includes a determination as to the LRE in which appropriate services can be made available to the child, must be made only after a full and complete IFSP or IEP has been developed that addresses the full range of the child's needs.
 - g) Federal law, as specified in sections 300.324 (a)(2)(iii) and 300.324 (a)(2)(iv), and state law (EC 56341.1) requires IFSP or IEP teams to: in the case of a pupil who is DHH or Deaf-Blind consider the pupil's language and communication needs, opportunities for direct communications with peers and professional personnel in the pupil's language and communication mode, academic level, and a full range of needs, including opportunities for direct instruction in the pupil's language and communication mode and if the team determines that a pupil needs a particular device or service, including an intervention, accommodation, or other program modification, in order for the pupil to receive a FAPE, the team include a statement to that effect in the pupil's individualized education program.
 - h) The importance of obtaining stakeholder input from Deaf, Hard of Hearing or Deaf-Blind individuals who can check to make sure that any design and implementation of

inclusion and UDL initiatives are in alignment with the existing laws and requirements when serving DHH or Deaf-Blind infants, toddlers, and children.

- i) The importance of actively involving and respecting the input and choices of pupils' parents or guardians, and ensuring that their rights and preferences are a central part of the decision-making process. This includes:
 - Considering children's language development as specified in section 56326.5;
 - Considering children's academic progress;
 - Considering parents' or guardians' knowledge and understanding of their child's unique needs, including their insights into the child's language and communication preferences; and
 - Facilitating meaningful participation of parents or guardians in all team meetings and decision-making processes, ensuring their choices are documented and considered in the development and review of the IFSP or IEP.
- 2) When an IFSP or IEP team is determining the LRE for a DHH or Deaf-Blind pupil aged 0 to 22, inclusive, the IFSP and IEP teams shall:
 - a) Consider the language needs as defined in paragraph 2 of subdivision (a) of Section 56325.5 of the pupil, including the pupil's language and communication needs, opportunities for direct communications with peers and professional personnel in the pupil's language and communication mode, academic level, and a full range of needs, including opportunities for direct instruction in the pupil's language and communication mode consistent with but not limited to the requirements of section 56341.1 and the findings and declarations in section 56000.5; and
 - b) Review the full continuum of placements and services available to the pupil, including those provided by a school district, a COE, a regional program, nonpublic, nonsectarian schools, or agencies certified by the state, and the State Special Schools for the Deaf.
- 3) The CDE shall, by July 1, 2025, communicate the requirements of this act to all local education agencies, charter schools, nonpublic, nonsectarian schools, or agencies certified by the state, the State Special Schools for the Deaf and the Blind, and the Special Education Local Plan Areas (SELPAs).

Related legislation. SB 354 (Ochoa Bogh) of the 2023-24 Session would have required the Commission on Teacher Credentialing (CTC) to revise its administrative services credential standards and performance expectations with a focus on inclusive learning environments; and (2) required the CDE, in consultation with the CTC, to develop and disseminate guidance on the ways in which inclusive classrooms may be staffed. This bill was vetoed by the Governor with the following message:

Serving students with disabilities in inclusive settings is an essential strategy for improving the academic achievement of these and all students, and one that my Administration, like the author, is committed to advancing. However, this bill is substantially similar to SB 1113 of 2022, which I vetoed, and several of the same concerns remain. In particular, portions of this bill are subject to an appropriation and should be considered as part of the annual budget process.

In partnership with the Legislature, we enacted a budget that closed a shortfall of more than \$30 billion through balanced solutions that avoided deep program cuts and protected education, health care, climate, public safety, and social service programs that are relied on by millions of Californians. This year, however, the Legislature sent me bills outside of this budget process that, if all enacted, would add nearly \$19 billion of unaccounted costs in the budget, of which \$11 billion would be ongoing.

With our state facing continuing economic risk and revenue uncertainty, it is important to remain disciplined when considering bills with significant fiscal implications, such as this measure. For these reasons, I cannot sign this bill.

SB 1113 (Ochoa Bogh) of the 2021-2022 Session was substantially similar to this bill. The bill was vetoed by the Governor, who stated:

I commend the author's dedication to supporting inclusion for all students. Serving students with disabilities in inclusive settings is an essential strategy for improving the academic achievement of these and all students, and one that my administration is committed to advancing. In fact, working with legislative partners we have provided \$32 million over the past few years to directly support educators in implementing inclusive practices through a number of systemic investments, including recent investments to expand the Supporting Inclusive Practices Project.

Portions of this bill are either subject to an appropriation or are duplicative of other efforts, and therefore add unnecessary cost pressures to future budgets. However, the concept related to the administrative services credential has merit. I encourage the author to work with the Commission on Teacher Credentialing to consider incorporating Universal Design for Learning during its next comprehensive update of the administrative services credential.”

AB 1340 (E. Garcia), Chapter 576, Statutes of 2023, requires the CDE, by January 1, 2025, to post on its website data on four and five year cohort graduation rates for students with disabilities, disaggregated by federal disability category, subject to an appropriation for this purpose

AB 2541 (Quirk Silva) of the 2021-22 Session would have added funding to the Special Education Early Intervention Preschool Grant for the purpose of school districts contracting with the State Special Schools for the Deaf and nonpublic schools or nonpublic agencies for specified early language intervention services for children who are DHH, ages 0-5. This bill was held in the Assembly Appropriations Committee.

AB 1051 (Cervantes) of the 2023-24 Session would have required, commencing with the 2024-25 fiscal year, contingent on an appropriation, that the amount of funding apportioned to the State Special Schools for the Deaf and the Blind and the Diagnostic Centers be annually adjusted by a cost-of-living adjustment (COLA), and would have required the Superintendent of Public Instruction to calculate this COLA. This bill was held in the Assembly Appropriations Committee.

SB 692 (Cortese), Chapter 919, Statutes of 2022, requires that the CDE publish LEA data related to federal measures of LRE students with disabilities on its website, and include it as a resource on the California School Dashboard.

AB 1914 (O'Donnell) of the 2019-20 Session would have established the Supporting Inclusive Practices project, to be administered by the CDE; required the CDE and the CTC to issue guidance on clarifying the ways in which inclusive classrooms and placements may be staffed under current law; required that one member of the Instructional Quality Commission (IQC) have expertise in UDL, and required the CDE to issue guidance clarifying the ways in which early education inclusive placements may be established and expanded under current law. This bill was held in the Assembly Education Committee.

SB 210 (Galgiani), Chapter 652, Statutes of 2015, requires the CDE to develop a parent resource and select existing educator tools for measuring the language and literacy development of DHH children age 0-5 years, and to report annually on the language and literacy outcomes of these children.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of the Deaf
 California Coalition of Agencies Serving the Deaf and Hard of Hearing
 California Coalition of Option Schools
 California Educators of the Deaf
 California Faculty Association
 California Federation of Teachers AFL-CIO
 California Hands and Voices
 CCHAT Center
 Center for Early Intervention on Deafness
 Center on Deafness Inland Empire
 Deaf and Hard of Hearing Service Center
 Deaf Community Services of San Diego
 Deaf Counseling, Advocacy, and Referral Agency
 Greater Los Angeles Agency on Deafness
 John Tracy Center
 NorCal Services for Deaf and Hard of Hearing
 Orange County Deaf Equal Access Foundation
 Perk Advocacy
 Tri-County GLAD
 Weingarten Children's Center
 1 individual

Opposition

None on file

Analysis Prepared by: Tanya Lieberman / ED. / (916) 319-2087