
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: ACR 60
Author: Santiago
Version: May 20, 2015
Urgency: No
Consultant: Lynn Lorber
Hearing Date: June 17, 2015
Fiscal: No

Subject: Education: students with disabilities

SUMMARY

This resolution resolves that the Legislature affirms that state policies and procedures should use People First Language to the greatest extent possible.

BACKGROUND

Existing federal and state law require that every pupil with exceptional needs be provided a free appropriate public education in the least restrictive environment. (United States Code, Title 20, § 1400 et seq. and Education Code § 56000 et seq.)

ANALYSIS

This resolution resolves that the Legislature affirms that state policies and procedures should use People First Language to the greatest extent possible, especially those used by State and local educational agencies. Specifically, this resolution:

- 1) States that:
 - a) The language used to refer to students with disabilities has a profound impact in shaping beliefs and attitudes about these students, driving policies and laws, influencing our feelings and decisions, and affecting students' daily lives.
 - b) Old, inaccurate, and inappropriate descriptors about students with disabilities perpetuate negative stereotypes and attitudinal barriers.
 - c) When we identify or describe students with disabilities primarily in terms of their disability or medical diagnosis, we undervalue and stigmatize them.
 - d) People First Language is an objective form of communication that eliminates generalizations and stereotypes by focusing on the person rather than the disability.
- 2) Resolves that the Legislature affirms that state policies and procedures should use People First Language to the greatest extent possible, especially those used by state and local educational agencies.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Using thoughtful terminology can foster positive attitudes about students with disabilities. One of the major improvements in communicating verbally or in writing with or about students with disabilities is People First Language, which places the person ahead of his or her disability. ACR 60 will encourage greater respect for children with special needs.”
- 2) ***Existing efforts to use People First Language.*** The California Strategic Plan on Reducing Mental Health Stigma and Discrimination was adopted by the Mental Health Services Oversight and Accountability Commission on June 25, 2009. This plan supports the use of non-stigmatizing terms, such as People First Language.

Members of the Advisory Commission on Special Education received orientation and information on the use of People First Language at their August 13, 2014 meeting.

Several areas of State statutes have been amended in recent years to update terminology, using People First Language (see Comment # 4).

- 3) ***Fiscal impact.*** This resolution is keyed as non-fiscal.
- 4) ***Prior legislation.*** AB 1847 (Chesbro, Ch. 144, 2014) among other things, changed references from “incompetent person” to “person lacking legal capacity to make decisions,” and from “the mentally ill, mentally defective or epileptic” to “persons with developmental disabilities or mental health disorders.”

SB 364 (Steinberg, Ch. 567, 2013) among other things, changed references from “mentally disordered persons” to “persons with mental health disorders,” and from “developmentally disabled persons” to “persons with developmental disabilities.”

SB 1381 (Pavley, Ch. 457, 2012) among other things, changed references from “mentally retarded persons” to “persons with intellectual disabilities.”

AB 2662 (Committee on Education, Ch. 589, 2012) among other things, changed references from “mentally retarded pupils” to “pupils with intellectual disabilities.”

SUPPORT

United Domestic Workers of America – American Federation of State, County and Municipal Employees Local 3930

OPPOSITION

None received.

-- END --