
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: AB 2791
Author: Medina
Version: March 29, 2016
Urgency: No
Consultant: Kathleen Chavira
Hearing Date: June 8, 2016
Fiscal: Yes

Subject: Community colleges: Disability Services Program

SUMMARY

This bill expands the definition of “disabled students,” for purposes of apportionments to community college districts to provide educational and support services for these students, to include students who have applied to a community college and who have exceptional needs due to a verified disability.

BACKGROUND

Existing law requires the Board of Governors (BOG) of the California Community Colleges to adopt rules and regulations for the administration and funding of educational programs and support services to be provided to disabled students by community college districts. These regulations are required to provide for the apportionment of funding to districts to offset the direct excess cost of providing specialized support services or instruction, or both, to disabled students enrolled in state supported educational programs or courses.

Existing law defines “direct excess costs” as those which exceed the combined total of the average cost to the district of providing services to non-disabled students times the number of students served in the disabled students program, the indirect cost of providing facilities and administrative support, the revenue from average daily attendance in special classes, and other funds received from federal, state or local sources. (Education Code § 84850)

ANALYSIS

This bill:

- 1) Expands the definition of disabled students beyond enrolled students with exceptional needs to include students with exceptional needs who have applied to a community college.
- 2) Authorizes the provisions of funding to districts to offset the direct excess costs of providing specialized support services or instruction, or both, for students who have applied to a community college.
- 3) Makes technical cross reference corrections.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, this bill clarifies what was, until recently the longstanding practice at the California Community Colleges (CCC) to provide Disability Services and Programs for Students (DSPS) services to students who have applied to a college DSPS program even though they may not yet have begun attending college courses.

In January 2016, the Chancellor's Office issued revised guidelines for implementing Title 5 DSPS regulations. Although consistent with the language of the applicable statutes, proponents are concerned that the new guidance results in districts being unable to provide services to students who have applied, but not yet enrolled in courses.

This bill would align the statutory definition of a disabled student with the current practices of DSPS offices throughout the California Community Colleges.

- 2) ***Chancellor's Office revised guidelines.*** According to the Chancellor's Office, in its recent review and revision of guidelines, it was determined that existing law requires that a disabled student be enrolled in a class for a district to receive DSPS funding. The recent update to DSPS implementation guidelines reflects this requirement by having districts document verification of enrollment via submission of specified information in the state management information system. In some cases, this means students would be required to have attended for at least two weeks of one or more courses in order to be reported as "enrolled."

According to the Chancellor's Office, these students often need services before they are enrolled in a class. The enactment of this bill would ensure that colleges can continue to provide vital services like registration assistance, pre-term counseling, specialized orientation, and outreach to high schools, easing the transition into college for these students.

- 3) ***Disabled Student Programs and Services (DSPS)*** provide support services and educational accommodations to students with disabilities so that they can have full and equal access to the community college experience. In addition, many colleges provide specialized instruction as part of their DSPS program. Examples of these services include: test-proctoring; assessment for learning disabilities; specialized counseling; interpreter or captioning services for hearing-impaired or deaf students; mobility assistance; note-taker services; reader services; speech services; transcription services; on-campus transportation; specialized tutoring; access to adaptive equipment; job development/placement; registration assistance; and special parking and specialized instruction.

SUPPORT

Board of Governors, California Community Colleges
 California Association for Postsecondary Education and Disability
 North Orange Community College District
 The Arc and United Cerebral Palsy California Collaboration

OPPOSITION

None received.

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