
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2021 - 2022 Regular Session

SB 291 (Stern) - Advisory Commission on Special Education: pupil advisory council

Version: February 1, 2021

Urgency: No

Hearing Date: March 22, 2021

Policy Vote: ED. 7 - 0

Mandate: No

Consultant: Lenin Del Castillo

Bill Summary: This bill establishes an advisory council of pupils with exceptional needs to provide input to the Advisory Commission on Special Education (ACSE) and adds a member of the pupil advisory council to the ACSE.

Fiscal Impact: The California Department of Education (CDE) estimates General Fund costs of approximately \$497,000 each year and two new positions to comply with the bill's requirements. This estimate includes \$200,000 for travel costs and operational expenses, such as increased costs for interpreter services, for the new advisory council. Further, the CDE indicates that the costs associated with establishing, staffing, and supporting the council to ensure compliance with the Bagley-Keene Open Meeting Act are based on the actual costs of staffing and supporting the ACSE. Staff notes that the ACSE currently receives an annual budget appropriation of \$96,000 for in-state travel and operational expenses (Item 6100-001-0890, Provision 2).

Background: Existing law establishes the ACSE as an entity that studies and provides assistance and advice to the State Board of Education (SBE), the Superintendent of Public Instruction (SPI), the Legislature, and the Governor in research, program development, and evaluation in special education. The ACSE consists 17 members which include a member of the Assembly, a member of the Senate, three public members appointed by the Speaker of the Assembly, two of whom shall be individuals with a disability or parents of pupils in either a public or private school who have received or are currently receiving special education services due to a disabling condition, and three public members appointed by the Senate Committee on Rules, two of whom shall be individuals with a disability or parents of pupils in either a public or private school who have received or are currently receiving special education services due to a disabling condition.

Existing law requires ACSE members to be selected to ensure the body is representative of the state population, composed of individuals involved in, or concerned with, the education of children with exceptional needs, and include a majority of members with exceptional needs or parents of children with exceptional needs who are age's birth to 26 years, inclusive.

The ACSE is required to report to the SBE, the SPI, the Legislature, and the Governor at least once per year on the following:

- a) Activities enumerated in state law that are necessary to be undertaken regarding special education for individuals with exceptional needs.
- b) The priorities and procedures utilized in the distribution of federal and state funds.
- c) The unmet educational needs of individuals with exceptional needs within the state.
- d) Recommendations relating to providing better education services to individuals with exceptional needs.

Proposed Law: This bill establishes an advisory council composed of 15 pupils with exceptional needs for the purpose of providing the ACSE with advice and input from current pupils with exceptional needs.

This bill requires the SBE to identify and nominate a pool of qualified candidates for appointment to the council by the SPI, and specifies that each member of the advisory council shall be a pupil with exceptional needs who is age 16 to 24, inclusive, drawn from and representative of all geographic regions of the state, and serve a term of two years.

This bill requires the council to meet on a regular basis in meetings open to the public, except that the council may conduct its public meetings virtually, and to appoint one of its members to serve as a member of the ACSE for one calendar year.

This bill increases the number of members on the ACSE from 17 to 18 by adding a member of the pupil advisory council.

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