
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2023 - 2024 Regular Session

AB 624 (Grayson) - Public postsecondary education: disabled student services: assessments

Version: June 12, 2023

Urgency: No

Hearing Date: August 14, 2023

Policy Vote: ED. 7 - 0, HUMAN S. 5 - 0

Mandate: No

Consultant: Lenin Del Castillo

Bill Summary: This bill requires the California State University (CSU) and requests the University of California (UC) to cover the costs of diagnostic assessments for learning disabilities, as specified, as proof for academic accommodations for any student who receives student financial aid or who is eligible for financial assistance from the institution's health or disability center.

Fiscal Impact: The bill's requirements could result in additional, unknown General Fund costs to the CSU and UC to cover the costs of diagnostic assessments. A precise amount would depend on the number of students that come forward for testing as a result of this bill, but it could be in the low millions of dollars each year. The CSU indicates that if each CSU campus were to hire a Learning Disabilities Specialist to administer the assessments, systemwide costs would be about \$2.5 million. There would be additional costs of approximately \$1.2 million each year for the diagnostic testing assuming a cost of \$1,133 for each test for 47 students.

This bill requires that state funds be provided to cover all documented costs related to the diagnostic assessments, and that the Department of Developmental Services (DDS) oversee the reimbursement of these costs to the institutions. It is unclear if the DDS would require additional resources to comply with this requirement.

Further, the CSU and UC may incur additional General Fund costs to provide additional supports to students identified as having disabilities. The extent of these costs is unknown and would depend on the number of students identified as well as the types of services required.

Background: Existing federal law, specifically Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, prohibits discrimination on the basis of disability. Section 504 and Title II applies to both K-12 schools and institutions of higher education (IHE). However, an IHE is not required to identify a student as having a disability, assess a student's needs or provide a free appropriate public education to a student with disabilities. Instead, a student with disabilities must inform an IHE of their disability and request supports. An IHE may require a student to provide documentation proving they have a disability. If the documentation a student has does not meet the IHE's requirements, a student may need to obtain further proof of disability. Once adequate proof of disability is provided to an IHE, federal law requires the IHE to provide supports to a student with disabilities.

Proposed Law: This bill requires the Trustees of the CSU and requests the UC Regents to cover the costs of diagnostic assessments for a learning disability, including continuing assessments, any required documentation, and individual and group assessments provided by the institution, as proof for academic accommodations for any student who meets either of the following criteria: the student receives student financial aid or the student is eligible for financial assistance from the institution's health or disability center.

This bill requires that state funds be provided annually for the cost of diagnostic services on an actual-cost basis, including wages for the individuals providing diagnostic services and expense for attendant supplies, and requires that each segment be responsible for documenting its costs to the DDS. The bill requires that the DDS oversee reimbursement to institutions for their documented costs.

This bill requires that the CSU Trustees and requests the UC Regents to post on its internet website, in a manner that is readily noticeable to students, that it will cover the cost of diagnostic assessments for any eligible student.

This bill modifies legislative intent language relating to diagnostic assessments by including costs for continuing assessments, required documentation, and individual and group assessments provided by the institution and expands the purpose of the assessments to include defining specific disabilities of the student and as proof for academic or institutional accommodations.

Staff Comments: Current law does not require an institution to pay the costs for a student to complete an assessment and obtain necessary documentation to prove their disability and therefore gain supports at the institution. Students may have health insurance to cover these costs or may apply to the state's vocational rehabilitation agency to cover the costs. In other cases, a student may need to pay for an assessment and documents out-of-pocket which can cost between \$500 and \$2,500.

This bill would require CSU and recommend that UC cover the costs of diagnostic evaluations for financially needy students and also pursue reimbursement for the evaluations from the DDS. The bill also provides for the allocation of state funds on an annual basis to cover the expenses incurred in connection with the provision of services, including wages for individuals that provide the services. In 2021, 7,921 students were identified as having learning disabilities across the CSU system.

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