

GOVERNOR'S VETO
AB 624 (Grayson)
As Enrolled September 18, 2023
2/3 vote

SUMMARY

Requires the Trustees of the California State University (CSU) and would request the Regents of the University of California (UC), to cover the costs of diagnostic assessments 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.

Senate Amendments

- 1) Clarifies that the Trustees of the CSU will, and the Regents of the University of California are requested to assessments for learning disabilities.
- 2) Delays implementation until July 1, 2025.
- 3) Specifies that state funds will be provided annually for the cost of these services on an actual-cost basis, including wages for the individuals providing these services and expenses for attendant supplies, and that each institution, as specified, will be responsible for documenting its costs to the Department of General Services. Additionally specifies that the Department of General Services shall oversee reimbursements to institutions for their documented costs.

Specifies that assessments for learning disabilities, including continuing assessments, any required documentation, and individual and group assessments provided by the institution or an outside entity if arranged directly by the institution.

Governor's Veto Message

This bill, commencing July 1, 2025, requires the California State University Trustees and requests the University of California Regents, to cover the costs of diagnostic assessments for learning disabilities as proof for academic accommodations for any student who receives financial assistance or is eligible for financial assistance from the institution's health or disability center. The bill also specifies that state funds will be provided annually for the cost of these services, and that the Department of General Service shall oversee reimbursements to institutions for their documented costs.

While I support the author's goal of supporting students with learning disabilities, unfortunately, the bill creates at least \$5 million in ongoing General Fund costs that are not reflected in the state's current fiscal plan. Additionally, the Department of General Services may not be the appropriate entity to administer the reimbursement.

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.

COMMENTS

Accommodation on campus. CSU and UC campuses follow a set of systemwide guidelines for the accommodation of students with learning disabilities. CSU campuses note in their systemwide policy that "documentation should validate the need for accommodations and support services based on the student's current level of functioning in the educational setting. A school plan, such as an Individualized Education Program (IEP) or a '504 plan' alone is insufficient documentation to support a student's eligibility, but may be included as historical information in a more comprehensive assessment battery."

Committee staff understands that some CSU campuses have a dedicated learning disability specialist; however, campus learning disabilities specialists do not determine a specific diagnosis. Instead, these specialists provide an educational learning profile to help the student identify ideal ways of learning. CSU staff estimated that less than 10 campuses currently have learning disabilities specialists.

The UC's policy specifies that it is the responsibility of each student who requests accommodation services from the UC to provide a comprehensive written evaluation of their specific learning disorder. In order to document a student's need for reasonable accommodations and support services and verify the student's eligibility under Federal, State, and UC mandates, the aforementioned evaluation must demonstrate a clinical diagnosis of a specific learning disorder. The policy also notes that testing must be comprehensive, and that it is not acceptable to administer only one test in making a diagnosis

UC Los Angeles (UCLA) offers the Will Rogers Memorial Scholarship, which can be used by a student who is registered with the UCLA Center for Accessible Education for a different disability, but wishes to be assessed for a learning disability, or students who are referred for an assessment and begin the testing process.

Stanford University, one of California's independent institutions, require students, who request academic accommodations, to submit documentation concerning their disability.

Documentation is evaluated by professional staff and used to both verify disability and complement self-report of lived experience while determining appropriate academic accommodations. All student cases are assessed individually.

According to the Author

According to the author, "although students with disabilities in higher education are protected by state, federal, and local laws that prohibit discrimination, they still face significant barriers to academic success. In addition to the traditional challenges students may have for paying for college in general, students with disabilities may have other unique expenses related to their disability that may impact their ability to attend college and/or be academically successful."

"While testing accommodations and disability resources are available, students must still obtain their own medical testing and paperwork in order to qualify to receive accommodations on campus. These learning disability assessments can cost thousands of dollars, ranging between \$500-\$2,500 dollars, creating an unfair economic disparity for students who have disabilities.

AB 624 supports students with disabilities by expanding the Legislature's commitment to equity by including the costs of continuing assessments for proof of academic accommodations."

Arguments in Support

Generation Up, the sponsor of this bill, writes that "with the demanding academic and economic burdens of higher education, students face an overwhelming amount of pressures that may be debilitating to their academic performance, but disproportionately affected by these challenges are students with disabilities. These students in higher education are to be protected by state, federal, and local laws that prohibit discrimination as well as mandate that there be services to help accommodate them, but universities are not doing enough...in order to receive accommodations on campus, these students are required to obtain medical testing and paperwork on their own. It is imperative that universities support all their students by waiving and/or covering the costs of learning disability assessments so that students can get the accommodations they need to test or retest without suffering from the financial burdens in this process. It is the responsibility of the university to provide an environment for students where they feel both acknowledged and supported when it comes to academic needs without any economic caveats."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Senate Appropriations Committee:

- 1) 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.
- 2) This bill requires that state funds be provided to cover all documented costs related to the diagnostic assessments, and that the Department of General Services (DGS) oversee the reimbursement of these costs to the institutions. The DGS is likely to incur additional, unknown General Fund costs to comply with this requirements.
- 3) 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.

VOTES

ASM HIGHER EDUCATION: 11-0-1

YES: Mike Fong, Ta, Addis, Arambula, Gabriel, Irwin, Low, Ortega, Sanchez, Santiago, Wallis

ABS, ABST OR NV: Weber

ASM APPROPRIATIONS: 11-0-5

YES: Holden, Bryan, Calderon, Wendy Carrillo, Mike Fong, Hart, Lowenthal, Papan, Pellerin, Weber, Ortega

ABS, ABST OR NV: Megan Dahle, Dixon, Mathis, Robert Rivas, Sanchez

ASSEMBLY FLOOR: 80-0-0

YES: Addis, Aguiar-Curry, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Juan Carrillo, Wendy Carrillo, Cervantes, Chen, Connolly, Megan Dahle, Davies, Dixon, Essayli, Flora, Mike Fong, Vince Fong, Friedman, Gabriel, Gallagher, Garcia, Gipson, Grayson, Haney, Hart, Holden, Hoover, Irwin, Jackson, Jones-Sawyer, Kalra, Lackey, Lee, Low, Lowenthal, Maienschein, Mathis, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Jim Patterson, Joe Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Sanchez, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Villapudua, Waldron, Wallis, Ward, Weber, Wicks, Wilson, Wood, Zbur, Rendon

SENATE FLOOR: 39-0-1

YES: Allen, Alvarado-Gil, Archuleta, Ashby, Atkins, Becker, Blakespear, Bradford, Cortese, Dahle, Dodd, Durazo, Eggman, Glazer, Gonzalez, Grove, Hurtado, Jones, Laird, Limón, McGuire, Menjivar, Min, Newman, Nguyen, Niello, Ochoa Bogh, Padilla, Portantino, Roth, Rubio, Seyarto, Skinner, Smallwood-Cuevas, Stern, Umberg, Wahab, Wiener, Wilk

ABS, ABST OR NV: Caballero

ASSEMBLY FLOOR: 80-0-0

YES: Addis, Aguiar-Curry, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Juan Carrillo, Wendy Carrillo, Cervantes, Chen, Connolly, Megan Dahle, Davies, Dixon, Essayli, Flora, Mike Fong, Vince Fong, Friedman, Gabriel, Gallagher, Garcia, Gipson, Grayson, Haney, Hart, Holden, Hoover, Irwin, Jackson, Jones-Sawyer, Kalra, Lackey, Lee, Low, Lowenthal, Maienschein, Mathis, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Jim Patterson, Joe Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Sanchez, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Villapudua, Waldron, Wallis, Ward, Weber, Wicks, Wilson, Wood, Zbur, Rendon

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