

Current Legislative Policy and Legislation on Inclusive Higher Education in California

Introduction

Over the course of the last year, advocates for increased support of postsecondary education for individuals with intellectual disabilities in California have received encouraging news from a state-sanctioned government task force and have also witnessed a battle in the state legislature over reforms to the public postsecondary education system that resulted in a political impasse. Consequently, important recommended reforms to special education remain unachieved amid an ongoing need for action following the defunding of the California Postsecondary Education Commission, which coordinated public postsecondary education throughout the state until 2012.

TASK FORCE

[Statewide Task Force on Special Education](#)

Issued: March 2015

California's Statewide Task Force on Special Education was created to identify policy areas where postsecondary education reforms are needed for students with disabilities. Although the Task Force's findings primarily focus on long-term strategic approaches that California should utilize at the primary and secondary education levels, they include several conclusions that are of significance for transition programs and students with intellectual disabilities who are looking to pursue postsecondary education. Notably, the report urges curriculum developers to prioritize preparation for independent adult living from an early stage, calling upon the California public education system to be more inclusive of students and their family members so it will be possible to identify not just their needs but also their interests.

The Task Force's report also expresses support for universal access to transition services and programs, and suggests that California's government should do more to collaborate with local education agencies (LEA), regional occupation programs (ROP), and charter management organizations (CMO) so that CTE opportunities for students with intellectual disabilities are more accessible, inclusive, and diverse in content. Finally, the Task Force calls for California to institute a data collection system that pertains specifically to individuals with intellectual disabilities who are enrolled in special education (similar to the one that was recently commissioned in Texas through that state's [Senate Bill 37](#)). This would not only deepen the government's database concerning students with intellectual disabilities, but would also act as a highly useful monitoring and evaluation mechanism for existing postsecondary programs since data would identify student retention, graduation, and employment patterns.

LEGISLATION

[Assembly Bill 2434](#): An act to add and repeal Chapter 11.1 (commencing with Section 66910) of Part 40 of Division 5 of Title 3 of the Education Code, relating to postsecondary education.

Introduced: February 19, 2016

This bill establishes and funds a Blue Ribbon Commission on Public Postsecondary Education, which is tasked with developing a set of recommendations as to how to improve access to and affordability of public postsecondary education in California. The commission will be composed of nine public members, a group which will include business, community leaders, and other postsecondary education experts. The Governor, the Senate Committee on Rules, and the Speaker of the Assembly will each appoint three public members of the commission, who must be “representative of the cultural, ethnic, racial, and geographic diversity” of California.

The commission will develop written recommendations to be submitted to the California State Legislature and the Governor. Prior to drafting the report, the commission will hold a series of at least ten public hearings that specifically focus on the needs of underserved and underrepresented groups in public postsecondary education. These explicitly include “African Americans, Native Americans, Latinos, Asian Americans, Pacific Islanders, boys and men of color, undocumented immigrants, LGBTQ students, and other underserved or underrepresented groups”, not mentioning individuals with disabilities specifically. The public hearings will offer opportunity for members and advocates of these groups to provide testimony as the commission prepares its report for lawmakers.

In addition to holding public hearings, the commission shall review reports pertaining to the affordability of postsecondary education submitted by University of California, California State University, and the Board of Governors of the California Community Colleges, as well as the Student Aid Commission and the Department of Finance. The commission will leverage information garnered from these reports to identify the numerical gap between current and needed enrollment capacity in California’s public postsecondary education system, which it will include in its recommendations for reform.

In its recommendations, the commission will also report on “ensuring equity for historically disadvantaged and underrepresented groups.” These include communities of color, documented and undocumented immigrants, individuals from low-income and working-class backgrounds, LGBTQ people, and “others with unique needs.” No explicit mention is made of individuals with disabilities.

Finally, the commission will determine the amount of increased investments and resources that will be necessary for the California state government to support a public postsecondary education system with universal access and participation among all state residents. With regard to state investments, the commission will identify expenditure requirements that would support such a postsecondary education system. It will gauge the resources that are required to create an affordable, tuition-free education system by performing an analysis of college-related expenses, including tuition and fees, books, food, housing, transportation, loan fees, and child and dependent care. This analysis will incorporate the availability of federal, state, and campus-based financial aid in order to offset these costs.

The commission will publish its report by March 31, 2018. The report will then be shared with the Governor, the Director of Finance, and the Fiscal and Education Policy Committees of the California Legislature. It will also be sent to the University of California Regents, the Trustees of California State University, and the Board of Governors of the California Community Colleges.

[Senate Bill 42](#): California Postsecondary Education Commission (CPEC) and Higher Education

Introduced: December 2, 2014

Vetoed: October 7, 2015

Following the release of the Statewide Task Force's report last year, California lawmakers engaged in a tense battle over the internal structuring of California's public education system. Democratic legislators introduced SB 42, a bill that gives responsibility for public higher education policy to the state Office of Higher Education Performance and Accountability (OHEPA). The bill also tasks OHEPA with managing state data systems that concern individuals enrolled in higher education, including the Statewide Task Force's proposed new database of students with disabilities.

However, SB 42 also reconstitutes the California Postsecondary Education Commission (CPEC), a body that oversaw higher education in the state but closed amid budget-related reforms five years ago. Although the California Assembly passed the bill in September 2015, the state's governor vetoed it the following month.

STUDIES

None at this time

REGULATION

None at this time

CONTACT

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