



**LEGISLATION & PUBLIC
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August 15, 2018

Honorable Jerry Brown
Governor of California
Capitol Building, 1st Floor
Sacramento, CA 95814

**RE: AB 2109 (O'DONNELL) as amended May 25, 2018 – REQUEST
FOR SIGNATURE**

Dear Governor Brown:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, **supports AB 2109 and requests your signature.**

Among other provisions, AB 2109:

- 1) Authorizes a school district or charter school to continue to enroll a pupil with a temporary disability who is receiving individual instruction in a hospital or other residential health facility in order to facilitate the timely reentry in his or her prior school after the hospitalization has ended, or to provide a partial week of instruction;
- 2) Requires a school district or charter school to allow a pupil receiving individual instruction who is well enough to return to a school to be allowed to return to the school that he or she attended immediately before receiving individual instruction;
- 3) Entitles a pupil who is enrolled in individual instruction in a hospital or other residential health facility for a partial week to attend school in his or her school district of residence, or receive individual instruction provided by the school district of residence in the pupil's home, on

days in which he or she is not receiving individual instruction in a hospital or other residential health facility, and;

- 4) Ensures that students enrolled in hospital programs do not receive truancy notices.

DRC is pleased that this measure imposes much-needed timelines and maintains enrollment in home school districts so that students with temporary health needs do not lose their spots in their schools, including charter schools. DRC further appreciates the amendment taken in the Senate by the author, which clarifies that nothing in this bill limits the rights of a student with a temporary disability who is also a student with disabilities. This amendment reinforces existing legal rights and protections in state and federal special education laws including the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504).

For these reasons, we are pleased to support the bill and urge your signature on this very important measure. Please do not hesitate to contact me if you have questions about our position on this legislation.

Sincerely,



Evelyn Abouhassan
Senior Legislative Advocate
Disability Rights California

cc: Honorable Patrick O'Donnell, California State Assembly
Debbie Look, Senior Consultant, Assembly Education Committee
Jennifer Johnson, Deputy Legislative Secretary, Office of Legislative Affairs
Samuel Miller, Legislative Assistant, Office of Legislative Affairs