



**LEGISLATION AND
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April 5, 2019

Honorable Connie Leyva
Chair, Education Committee
California State Senate
Capitol Building, Room 4061
Sacramento, CA 95814

RE: SB 217 (Portantino) as amended April 1, 2019 – SUPPORT

Dear Senator Leyva:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, **supports SB 217**. This bill is scheduled for hearing in the Senate Education Committee on April 10, 2019.

Existing law authorizes a school district or charter school to maintain a transitional kindergarten program and requires school districts, county offices of education, and special education local plan areas to identify, locate, and assess individuals with exceptional needs. These pupils must be provided with a free appropriate public education in the least restrictive environment, and with special education and related services as reflected in an individualized education program.

Existing law requires the Superintendent of Public Instruction to determine the amount of funding to be provided for each special education local plan area in accordance with specified calculations and to allocate funds per unit of average daily attendance reported for each special education local plan area.

This bill would establish the Special Education Early Intervention Grant Program, and would require the Superintendent to allocate to school

districts \$4,000 per child within the school district of residence who is 3 or 4 years of age, is an individual with exceptional needs, and is receiving a majority of special education and related services in the regular education program, also known as “mainstreaming,” as provided.

Beginning with the 2019-20 school year and each school year thereafter, a school district or charter school shall admit a child to a transitional kindergarten program who will have their 5th birthday after December 2 but during that same school year if the child is an individual with exceptional needs, subject to specified conditions.

DRC strongly advocates the utilization of mainstreaming students with exceptional needs for the well-being of the student and their peers. We believe that every student should have access to an exceptional, high-quality education, regardless of disability or background.

DRC is in the process of drafting proposed technical amendments for consideration of the author as the bill moves through the legislative process. This proposed language will help better serve pupils affected by this legislation and ensure that services are reaching the appropriate individuals. We look forward to continuing to work closely with the author, committee staff, and leadership to address these issues and achieve our mutual goals.

DRC believes that SB 217 is an important step in increasing support and inclusion for students with exceptional needs and is grateful to Senator Portantino for carrying this legislation.

Please contact me if you have any questions about our position or if I can provide any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jimmy Fremgen". The signature is stylized with large, flowing loops and a long horizontal tail.

Jimmy Fremgen
Senior Legislative Advocate
Disability Rights California

cc: Honorable Members, Senate Education Committee
Honorable Anthony Portantino, California State Senate
Tara McGee, Legislative Director, Office of Senator Portantino
Megan Baier, Policy Consultant, Office of Senator Tony Atkins
Roger Mackensen, Policy Consultant, Senate Republican Caucus
Committee