



**LEGISLATION & PUBLIC
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May 30, 2018

Honorable Patrick O'Donnell
Chair, Education Committee
California State Assembly
Capitol Building, Room 2196
Sacramento, CA 95814

**RE: SB 354 (PORTANTINO) as amended January 3, 2018 – SPONSOR
AND SUPPORT**

Dear Assembly Member O'Donnell:

Disability Rights California, a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, is pleased to sponsor and support SB 354. This bill is scheduled for hearing in the Assembly Education Committee.

As amended, SB 354 requires the local educational agency (LEA) to provide a parent with a copy of the individualized education plan (IEP) including any revisions, in the native language of the parent, within 30 days of the meeting, if requested, or within 30 days of a later request, if the translation requested is in one of the top eight non-English languages in the district.

The bill also requires IEP documents to be translated by a qualified translator as defined and revises the definition of "parent" to specify that it includes the educational rights holder and the conservator of a child.

Appropriately, SB 354 reaffirms the existing legal obligation that the local educational agency take any action necessary to ensure that the parent understands the proceedings during the planning process for the individualized education program, including during the individualized

education program team meeting. This includes obligation to communicate in the native language of the parent, as specified in Section 300.29 of Title 34 of the Code of Federal Regulations or in another mode of communication used by the parent; arranging for an interpreter for a parent with deafness or whose native language is a language other than English; providing translation services; and providing alternative communication services, as required by Article 9.5 (commencing with Section 11135) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code and its implementing regulations, which require language access.

California is the most diverse state in the nation and our organizational goals include addressing service disparities and ensuring language access for all communities. The IEP, through the identification of individual goals, objectives and services is the cornerstone of ensuring that students with disabilities have access to a free and appropriate education. Additionally, we note that the state's largest school district, Los Angeles Unified, is already obligated to translate 85% of IEPs into the District's most common languages within 30 days under the terms of the Chanda Smith Consent Decree.

SB 354 does much to level the playing field by ensuring that parents whose native language is not English have timely access to a translation of their child's IEP to allow for meaningful involvement in their child's education.

For these reasons, we are proud to sponsor and support this measure. Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading "Evelyn M. Abouhassan".

Evelyn Abouhassan
Senior Legislative Advocate
Disability Rights California

cc: Honorable Anthony Portantino, California State Senate
Kristi G. Lopez, MSW, District Representative, Office of Senator Portantino
Anahit Sargsyan, Legislative Aide, Office of Senator Portantino
Honorable Members, Assembly Education Committee
Tanya Lieberman, Deputy Chief Consultant, Assembly Education Committee
Robert Becker, Consultant, Assembly Republican Caucus Committee