



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 7.1

Meeting Date: April 4, 2019

Subject: Approve Resolution No. 3077: Resolution in Support of Assembly Bill 428 (Medina): Special Education Funding

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Division: Academic Office

Recommendation: Approve Resolution No. 3077: Resolution in Support of Assembly Bill 428 (Medina): Special Education Funding.

Background/Rationale: The current Special Education funding model, also called Assembly Bill (AB) 602, was enacted in the late nineties and was designed using a census-based average daily attendance (ADA) funding allocation method. The intent was that a census-based funding model removed financial incentives for school agencies to over-identify students with disabilities, which existed under the previous Special Education model. However, when AB 602 was implemented, the funding was based on previous Special Education expenditures by school agencies. Therefore, the funding amounts varied and have continued to vary widely throughout the state. In 2015, the Special Education Task Force Report outlined distinct reforms necessary for a successful Special Education system which included a call for additional funding earmarked for services required under the Individuals with Disabilities Education Act (IDEA). The Legislative Analyst's Office (LAO) has consistently recommended that the Legislature provide additional state funding to level up each SELPA's AB 602 base funding rates. This additional ADA funding would help offset the rising costs associated with providing services to students with exceptional needs without creating placement incentives. The Sacramento City Unified School District Board of Education strongly believes that equitable and adequate Special Education funding is critical in order to help improve the student achievement and overall success of students receiving Special Education services.

Financial Considerations: None

LCAP Goal(s): College, Career and Life Ready Graduates; Family and Community Empowerment; Safe, Emotionally Healthy and Engaged Students; and Operational Excellence.

Documents Attached:

1. Resolution No. 3077
2. AB 428 Fact Sheet

Estimated Time of Presentation: 5 minutes

Submitted by: Jessie Ryan, Board President

Approved by: Jorge A. Aguilar, Superintendent

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

RESOLUTION NO. 3077

**RESOLUTION IN SUPPORT OF
ASSEMBLY BILL 428 (MEDINA): SPECIAL EDUCATION FUNDING**

WHEREAS, Special Education is a federal and state mandated education program that entitles children with disabilities to receive a free appropriate public education;

WHEREAS, California provides educational services to more than 700,000 children with identified disabilities;

WHEREAS, Sacramento City Unified School District provides services for more than 6,900 students with identified disabilities;

WHEREAS, California's neutral funding formula (Assembly Bill [AB] 602) does not adequately or equitably provide the necessary funding to pay for the increasing costs of providing educational services to students with disabilities;

WHEREAS, Special Education AB 602 funding rates among Special Education Local Plan Areas (SELPA) vary considerably without justification;

WHEREAS, the Legislative Analyst's Office has consistently recommended that the Legislature equalize Special Education AB 602 funding rates;

WHEREAS, there has been a significant increase in the population of children with autism, many of whom require intensive services;

WHEREAS, California does not fund average daily attendance (ADA) or Special Education services for preschool-aged children with disabilities;

WHEREAS, preschool-age children with disabilities who receive high-quality care and education before kindergarten are 40% to 60% less likely to need Special Education interventions when they reach school age;

WHEREAS, in March 2015, the California Statewide Special Education Task Force issued a report recommending the state establish a new preschool funding mechanism and equalize AB 602 base funding rates;

WHEREAS, the current amount of funding for students with significant disabilities, such as autism, blindness, deafness, or severe orthopedic impairments, is far below amounts necessary to support their education;

WHEREAS, the cost of materials, equipment, technology, and/or specialized services necessary for these students far exceed the per-ADA amount provided, with the average costs estimated at \$17,600 and can be as high as \$40,000;

WHEREAS, the Governor’s 2019-20 State Budget proposal attempts to address the needs for students with disabilities for a small subset of LEAs, but does not propose any additional funding for these critical Special Education funding issues statewide;

WHEREAS, AB 428 (Medina, D-Riverside) would increase and equalize AB 602 base funding rates, establish a funding mechanism for preschool programs for children with disabilities, provide additional funding for students with the most intensive needs, and address declining enrollment SELPAs; and

WHEREAS, the Sacramento City Unified School District supports increased funding for Special Education equalization, the creation of a preschool funding mechanism for children with disabilities, and additional resources for students with high-cost disabilities as proposed in AB 428 (Medina).

NOW, THEREFORE, BE IT RESOLVED by the Sacramento City Unified School District Board of Education urges Governor Gavin Newsom and the California State Legislature to support and fund AB 428 (Medina).

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this 4th day of April, 2019, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

ATTESTED TO:

Jessie Ryan
President of the Board of Education

Jorge A. Aguilar
Secretary of the Board of Education

AB 428 (Medina)

Special education Finance Reform

Background

Under state and federal law (IDEA), local educational agencies are mandated to provide a free and appropriate public education to individuals with disabilities aged birth to age 22, including preschool-age children with special needs. Despite this mandate, no state funding is allocated for special education preschool programs.

Currently there are 700,000 students with disabilities in the state. California's special education funding formula AB 602 (Chapter 854, Statutes of 1997), does not equitably provide the necessary funding to pay for the cost of services needed for the students with disabilities.

The most common disabilities among students are specific learning disabilities, speech and language impairments, and other health impairments, which together constituted about 73% of all students with exceptional needs in 2015. Students diagnosed with Autism Spectrum Disability (ASD) have increased notably over the last decade, from 2% of all disabilities in 2002 to 13% in 2015.

Problem

Special education in California lacks the following:

Special Education Preschool Funding: Early intervention programs for preschoolers are an excellent investment. Children who receive high quality care and education before kindergarten are 40% to 60% less likely to require special education interventions when they reach school-age, resulting in significant future cost savings to the state and local educational agencies

In California, no state funding is provided to subsidize the estimated \$490 million that schools

report spending on special education preschool programs. The California Statewide Special Education Task Force and the Public Policy Institute of California have recommended that the state establish a funding mechanism to support special education preschool programs.

Equalization: For decades, California's special education funding rates have varied considerably – from \$480 to \$930 per pupil - for no logical reason. The Legislative Analyst's Office, the Public Policy Institute of California, and the California Statewide Special Education Task Force have all recommended that the legislature retain the census-based model and provide funding to equalize special education AB 602 funding rates.

Funding for students who need extra support: In the 20 years since the last major special education finance reform, the percentage of special education students requiring greater support has risen dramatically. During the same period, the state's dedicated fund to support these "low incidence" students was eliminated.

Solution

AB 428 would establish a funding mechanism to support special education preschool programs, by adding preschoolers to the AB 602 funding formula.

AB 428 would address long-standing inequities by equalizing special education funding rates to the 95th percentile over time, making the rates fair throughout the state.

AB 428 would provide a supplemental grant to support students with greater needs, including students on the autism spectrum, and students who are blind, deaf or hard of hearing, and intellectually disabled.

AB 428 would allow school districts the ability to calculate a declining enrollment adjustment based on district, rather than SELPA, ADA.

Joint-authors: Assemblymember O'Donnell,
Assemblymember Frazier, Assemblymember
Arambula, and Assemblymember Reyes.

Co-authors: Senator Allen, Senator Beall, and
Senator Wilk.

Support

Coalition for Adequate Funding for Special
Education
California Association of School Business Officials

Staff Contact

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