

ASSEMBLY BILL

No. 2791

Introduced by Assembly Member Medina

February 19, 2016

An act to amend Section 84850 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 2791, as introduced, Medina. Community colleges: Disability Services Program.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law states the intent of the Legislature that the public postsecondary institutions request, and the state provide, through the state budget process, funds to cover the actual cost of providing services and instruction, consistent with specified principles, to disabled students in their respective postsecondary institutions.

Existing law requires the board of governors to adopt rules and regulations for the administration and funding of educational programs and support services provided to disabled students by community college districts. Existing law defines “disabled students,” for these purposes, as persons with exceptional needs enrolled at a community college who meet specified criteria.

This bill would expand that definition of “disabled students,” for these purposes, to include persons with exceptional needs who have applied to, but are not enrolled at, a community college and meet that criteria.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 84850 of the Education Code is amended
2 to read:

3 84850. (a) The Board of Governors of the California
4 Community Colleges shall adopt rules and regulations for the
5 administration and funding of educational programs and support
6 services to be provided to disabled students by community college
7 districts pursuant to Chapter 14.2 (commencing with Section
8 67310) of Part 40.

9 (b) As used in this section, “disabled students” are persons with
10 exceptional needs *who have applied to or* enrolled at a community
11 college who, because of a verified disability, cannot fully benefit
12 from classes, activities, and services regularly provided by the
13 college without specific additional specialized services or
14 educational programs.

15 (c) The regulations adopted by the board of governors shall
16 provide for the apportionment of funds to each community college
17 district to offset the direct excess cost of providing specialized
18 support services or instruction, or both, to disabled students
19 enrolled in state-supported educational programs or courses. Direct
20 excess costs are those actual fixed, variable, and one-time costs,
21 as defined in Section 67312, which exceed the combined total of
22 the following:

23 (1) The average cost to the district of providing services to
24 nondisabled students times the number of students served by
25 disabled student programs and services.

26 (2) The indirect cost to the district of providing facilities and
27 support for the administration of disabled student programs and
28 services.

29 (3) The revenue derived from average daily attendance in special
30 classes.

31 (4) Any other funds for serving disabled students which the
32 district receives from federal, state, or local sources.

33 (d) As a condition of receiving funds pursuant to this section,
34 each community college district shall certify that reasonable efforts
35 have been made to utilize all funds from federal, state, or local
36 sources which are available for serving disabled students. Districts
37 shall also provide the programmatic and fiscal information

1 concerning programs and services for disabled students that the
2 regulations of the board of governors require.
3 (e) The board of governors may authorize the chancellor,
4 consistent with the requirements the board may impose, to
5 designate up to 3 percent of the funds allocated pursuant to this
6 section for program development and program accountability.

O