

AMENDED IN SENATE MAY 31, 2016
AMENDED IN SENATE APRIL 13, 2016
AMENDED IN SENATE MARCH 17, 2016

SENATE BILL

No. 884

Introduced by Senator Beall

January 19, 2016

An act to amend Sections 56301, 56345, and 56500.4 of, and to add Sections 56301.5, 56500.7, 56600.7, 56607, 56608, and 56609 to, the Education Code, relating to special education.

LEGISLATIVE COUNSEL'S DIGEST

SB 884, as amended, Beall. Special education: procedural safeguards and records: *records: mental health services*.

(1) Existing law requires the Superintendent of Public Instruction to administer the special education provisions of the Education Code and ensure provision of, and supervise, education and related services to individuals with exceptional needs, as required pursuant to the federal Individuals with Disabilities Education Act.

Existing law establishes certain rights and procedural safeguards for parents and pupils of individuals with disabilities, and requires a public agency to give prior written notice to parents or guardians of an individual with exceptional needs when certain actions are taken with respect to his or her placement, identification, and assessment or the provision of a free and appropriate education.

This bill would require ~~prior written notice also to be given when there are any changes to the planned type or level of individualized education program services, would require a copy of the parent and pupil's rights and procedural safeguards to be given each time prior~~

~~written notice is given, and would require a local educational agency responsible for *implementation of* a pupil's individualized education program to ensure *that* a copy of each prior written notice is included in the pupil's records. The bill would require each special education local plan area to establish additional written policies and procedures requiring~~ *require each* local educational ~~agencies~~ *agency* to provide certain information to parents in their annual parent notification information, including information regarding family empowerment centers and parent training and information centers. ~~The bill would require a pupil's individualized education program to include the type of provider delivering each related service listed.~~ By imposing new duties on *special education local plan areas and* local educational agencies, the bill would impose a state-mandated local program.

(2) Existing law requires the Superintendent to ensure that pupil and program performance results are monitored, and requires special education local plan areas to submit certain data to the Superintendent to evaluate special education programs, as specified.

The bill would require a special education local plan area to document and report to the State Department of Education funding allocations and expenditures for all mental health and special education services, and would require the department to post the information on the department's Internet Web site. The bill would require the department to align accounting code systems, as specified. The bill would also require a local educational agency responsible for a pupil's individualized education program to annually report to the department the actual frequency and duration of ~~related~~ *mental health* services ~~provided,~~ *provided* and to annually report to the department certain data needed to document pupil outcomes on 6 outcome indicators, as specified. The bill would require the department to monitor the ~~related~~ *mental health* services reported annually by local educational ~~agencies,~~ *agencies* and to review and require corrections to each local educational agency's procedures and documents. By imposing new duties on local educational agencies, the bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1.— Section 56301 of the Education Code is amended
2 to read:

3 ~~56301. (a) All children with disabilities residing in the state,~~
4 ~~including children with disabilities who are homeless children or~~
5 ~~are wards of the state and children with disabilities attending~~
6 ~~private, including religious, elementary and secondary schools,~~
7 ~~regardless of the severity of their disabilities, and who are in need~~
8 ~~of special education and related services, shall be identified,~~
9 ~~located, and assessed and a practical method shall be developed~~
10 ~~and implemented to determine which children with disabilities are~~
11 ~~currently receiving needed special education and related services~~
12 ~~as required by Section 1412(a)(3) and (10)(A)(ii) of Title 20 of~~
13 ~~the United States Code. A child is not required to be classified by~~
14 ~~his or her disability so long as each child who has a disability listed~~
15 ~~in Section 1401(3) of Title 20 of the United States Code and who,~~
16 ~~by reason of that disability, needs special education and related~~
17 ~~services as an individual with exceptional needs defined in Section~~
18 ~~56026.~~

19 ~~(b) (1) In accordance with Section 300.111(c) of Title 34 of~~
20 ~~the Code of Federal Regulations, the requirements of this section~~
21 ~~also apply to highly mobile individuals with exceptional needs,~~
22 ~~including migrant children, and children who are suspected of~~
23 ~~being an individual with exceptional needs pursuant to Section~~
24 ~~56026 and in need of special education, even though they are~~
25 ~~advancing from grade to grade.~~

26 ~~(2) In accordance with Section 300.213 of Title 34 of the Code~~
27 ~~of Federal Regulations, the local educational agency shall cooperate~~
28 ~~in the efforts of the federal Secretary of Education, under Section~~
29 ~~6398 of Title 20 of the United States Code, to ensure the linkage~~
30 ~~of records pertaining to migratory children with disabilities for the~~
31 ~~purpose of electronically exchanging, among other states, health~~
32 ~~and educational information regarding those children.~~

1 ~~(e) (1) The child find process shall ensure the equitable~~
 2 ~~participation in special education and related services of parentally~~
 3 ~~placed private schoolchildren with disabilities and an accurate~~
 4 ~~count of those children. Child find activities conducted by local~~
 5 ~~educational agencies, or where applicable, the department, shall~~
 6 ~~be similar to those activities undertaken for pupils in public~~
 7 ~~schools.~~

8 ~~(2) In accordance with Section 1412(a)(10)(A)(ii)(IV) of Title~~
 9 ~~20 of the United States Code, the cost of the child find activities~~
 10 ~~in private, including religious, elementary and secondary schools,~~
 11 ~~may not be considered in determining whether a local educational~~
 12 ~~agency has met its obligations under the proportionate funding~~
 13 ~~provisions for children enrolled in private, including religious,~~
 14 ~~elementary and secondary schools.~~

15 ~~(3) The child find process described in paragraph (1) shall be~~
 16 ~~completed in a time period comparable to that for other pupils~~
 17 ~~attending public schools in the local educational agency.~~

18 ~~(d) (1) Each special education local plan area shall establish~~
 19 ~~written policies and procedures pursuant to Section 56205 for use~~
 20 ~~by its constituent local agencies for a continuous child find system~~
 21 ~~that addresses the relationships among identification, screening,~~
 22 ~~referral, assessment, planning, implementation, review, and the~~
 23 ~~triennial assessment. The policies and procedures shall include,~~
 24 ~~but need not be limited to, written notification of all parents of~~
 25 ~~their rights under this chapter, and the procedure for initiating a~~
 26 ~~referral for assessment to identify individuals with exceptional~~
 27 ~~needs.~~

28 ~~(2) In accordance with Section 1415(d)(1)(A) of Title 20 of the~~
 29 ~~United States Code, and Section 300.504(a) of Title 34 of the Code~~
 30 ~~of Federal Regulations, parents shall be given a copy of their rights~~
 31 ~~and procedural safeguards only one time a school year, except that~~
 32 ~~a copy also shall be given to the parents:~~

33 ~~(A) Upon initial referral or parental request for assessment.~~

34 ~~(B) Upon receipt of the first state complaint under Section~~
 35 ~~56500.2 in a school year.~~

36 ~~(C) Upon receipt of the first due process hearing request under~~
 37 ~~Section 56502 in a school year.~~

38 ~~(D) When a decision is made to make a removal that constitutes~~
 39 ~~a change of placement of an individual with exceptional needs~~
 40 ~~because of a violation of a code of pupil conduct in accordance~~

1 with Section 300.530(h) of Title 34 of the Code of Federal
2 Regulations.

3 (E) Upon request by a parent.

4 (F) When a prior written notice is required pursuant to Section
5 56500.4.

6 (3) A local educational agency may place a current copy of the
7 procedural safeguards notice on its Internet Web site, if such Web
8 site exists, pursuant to Section 1415(d)(1)(B) of Title 20 of the
9 United States Code.

10 (4) The contents of the procedural safeguards notice shall
11 contain the requirements listed in Section 1415(d)(2) of Title 20
12 of the United States Code and Section 300.504(e) of Title 34 of
13 the Code of Federal Regulations.

14 (5) Each special education local plan area shall establish
15 additional written policies and procedures that require each local
16 educational agency to provide informational materials, including,
17 but not limited to, pupil and parent rights provided under the federal
18 Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400
19 et seq.), and information regarding family empowerment centers
20 and parent training and information centers in their community.
21 The materials shall be provided in the three most common
22 languages used by parents served by the local educational agency
23 in the special education local plan area, and shall be made available
24 for local educational agencies to provide to their parents in their
25 annual parent notification information.

26 (e) Child find data collected pursuant to this chapter, or collected
27 pursuant to a regulation or an interagency agreement, are subject
28 to the confidentiality requirements of Sections 300.611 to 300.627,
29 inclusive, of Title 34 of the Code of Federal Regulations.

30 SEC. 2. Section 56345 of the Education Code is amended to
31 read:

32 56345. (a) The individualized education program is a written
33 statement for each individual with exceptional needs that is
34 developed, reviewed, and revised in accordance with this section,
35 as required by Section 1414(d) of Title 20 of the United States
36 Code, and that includes the following:

37 (1) A statement of the individual's present levels of academic
38 achievement and functional performance, including the following:

1 (A) The manner in which the disability of the individual affects
2 his or her involvement and progress in the general education
3 curriculum.

4 (B) For preschool children, as appropriate, the manner in which
5 the disability affects his or her participation in appropriate
6 activities.

7 (C) For individuals with exceptional needs who take alternate
8 assessments aligned to alternate achievement standards, a
9 description of benchmarks or short-term objectives.

10 (2) A statement of measurable annual goals, including academic
11 and functional goals, designed to do the following:

12 (A) Meet the needs of the individual that result from the
13 disability of the individual to enable the pupil to be involved in
14 and make progress in the general education curriculum.

15 (B) Meet each of the other educational needs of the pupil that
16 result from the disability of the individual.

17 (3) A description of the manner in which the progress of the
18 pupil toward meeting the annual goals described in paragraph (2)
19 will be measured and when periodic reports on the progress the
20 pupil is making toward meeting the annual goals, such as through
21 the use of quarterly or other periodic reports, concurrent with the
22 issuance of report cards, will be provided.

23 (4) A statement of the special education and related services
24 and supplementary aids and services, based on peer-reviewed
25 research to the extent practicable, to be provided to the pupil, or
26 on behalf of the pupil, and a statement of the program modifications
27 or supports for school personnel that will be provided to enable
28 the pupil to do the following:

29 (A) To advance appropriately toward attaining the annual goals.

30 (B) To be involved in and make progress in the general
31 education curriculum in accordance with paragraph (1) and to
32 participate in extracurricular and other nonacademic activities.

33 (C) To be educated and participate with other individuals with
34 exceptional needs and nondisabled pupils in the activities described
35 in this subdivision.

36 (5) An explanation of the extent, if any, to which the pupil will
37 not participate with nondisabled pupils in the regular class and in
38 the activities described in subparagraph (C) of paragraph (4).

39 (6) (A) A statement of individual appropriate accommodations
40 that are necessary to measure the academic achievement and

1 functional performance of the pupil on state and districtwide
2 assessments consistent with Section 1412(a)(16)(A) of Title 20 of
3 the United States Code.

4 (B) If the individualized education program team determines
5 that the pupil shall take an alternate assessment instead of a
6 particular state or districtwide assessment of pupil achievement,
7 a statement of the following:

8 (i) The reason why the pupil cannot participate in the regular
9 assessment:

10 (ii) The reason why the particular alternate assessment selected
11 is appropriate for the pupil.

12 (7) The projected date for the beginning of the services and
13 modifications described in paragraph (4), and the anticipated
14 frequency, location, and duration of those services and
15 modifications. For each related service listed in the individualized
16 education program, the individualized education program shall
17 document the type of provider delivering the service pursuant to
18 paragraph (3) of subdivision (a) of Section 3051 of Title 5 of the
19 California Code of Regulations.

20 (8) Beginning not later than the first individualized education
21 program to be in effect when the pupil is 16 years of age, or
22 younger if determined appropriate by the individualized education
23 program team, and updated annually thereafter, the following shall
24 be included:

25 (A) Appropriate measurable postsecondary goals based upon
26 age-appropriate transition assessments related to training,
27 education, employment, and where appropriate, independent living
28 skills.

29 (B) The transition services, as defined in Section 56345.1,
30 including courses of study, needed to assist the pupil in reaching
31 those goals.

32 (b) If appropriate, the individualized education program shall
33 also include, but not be limited to, all of the following:

34 (1) For pupils in grades 7 to 12, inclusive, any alternative means
35 and modes necessary for the pupil to complete the prescribed
36 course of study of the district and to meet or exceed proficiency
37 standards for graduation.

38 (2) For individuals whose native language is other than English,
39 linguistically appropriate goals, objectives, programs, and services.

1 ~~(3) Pursuant to Section 300.106 of Title 34 of the Code of~~
2 ~~Federal Regulations, extended school year services shall be~~
3 ~~included in the individualized education program and provided to~~
4 ~~the pupil if the individualized education program team of the pupil~~
5 ~~determines, on an individual basis, that the services are necessary~~
6 ~~for the provision of a free appropriate public education to the pupil.~~

7 ~~(4) Provision for the transition into the regular class program if~~
8 ~~the pupil is to be transferred from a special class or nonpublic,~~
9 ~~nonsectarian school into a regular class in a public school for any~~
10 ~~part of the schoolday, including the following:~~

11 ~~(A) A description of activities provided to integrate the pupil~~
12 ~~into the regular education program. The description shall indicate~~
13 ~~the nature of each activity, and the time spent on the activity each~~
14 ~~day or week.~~

15 ~~(B) A description of the activities provided to support the~~
16 ~~transition of pupils from the special education program into the~~
17 ~~regular education program.~~

18 ~~(5) For pupils with low-incidence disabilities, specialized~~
19 ~~services, materials, and equipment, consistent with guidelines~~
20 ~~established pursuant to Section 56136.~~

21 ~~(e) It is the intent of the Legislature in requiring individualized~~
22 ~~education programs, that the local educational agency is responsible~~
23 ~~for providing the services delineated in the individualized education~~
24 ~~program. However, the Legislature recognizes that some pupils~~
25 ~~may not meet or exceed the growth projected in the annual goals~~
26 ~~and objectives of the individualized education program of the~~
27 ~~pupil.~~

28 ~~(d) Consistent with Section 56000.5 and Section~~
29 ~~1414(d)(3)(B)(iv) of Title 20 of the United States Code, it is the~~
30 ~~intent of the Legislature that, in making a determination of the~~
31 ~~services that constitute an appropriate education to meet the unique~~
32 ~~needs of a deaf or hard-of-hearing pupil in the least restrictive~~
33 ~~environment, the individualized education program team shall~~
34 ~~consider the related services and program options that provide the~~
35 ~~pupil with an equal opportunity for communication access. The~~
36 ~~individualized education program team shall specifically discuss~~
37 ~~the communication needs of the pupil, consistent with “Deaf~~
38 ~~Students Education Services Policy Guidance” (57 Fed. Reg. 49274~~
39 ~~(October 1992)), including all of the following:~~

1 ~~(1) The pupil's primary language mode and language, which~~
2 ~~may include the use of spoken language with or without visual~~
3 ~~cues, or the use of sign language, or a combination of both.~~

4 ~~(2) The availability of a sufficient number of age, cognitive,~~
5 ~~and language peers of similar abilities, which may be met by~~
6 ~~consolidating services into a local plan areawide program or~~
7 ~~providing placement pursuant to Section 56361.~~

8 ~~(3) Appropriate, direct, and ongoing language access to special~~
9 ~~education teachers and other specialists who are proficient in the~~
10 ~~pupil's primary language mode and language consistent with~~
11 ~~existing law regarding teacher training requirements.~~

12 ~~(4) Services necessary to ensure communication-accessible~~
13 ~~academic instructions, school services, and extracurricular activities~~
14 ~~consistent with the federal Vocational Rehabilitation Act of 1973~~
15 ~~(29 U.S.C. Sec. 794 et seq.) and the federal Americans with~~
16 ~~Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.).~~

17 ~~(5) In accordance with Section 300.113 of Title 34 of the Code~~
18 ~~of Federal Regulations, each public agency shall ensure that hearing~~
19 ~~aids worn in school by children with hearing impairments,~~
20 ~~including deafness, are functioning properly.~~

21 ~~(6) Subject to paragraph (7), each public agency, pursuant to~~
22 ~~Section 300.113(b) of Title 34 of the Code of Federal Regulations,~~
23 ~~shall ensure that external components of surgically implanted~~
24 ~~medical devices are functioning properly.~~

25 ~~(7) For a child with a surgically implanted medical device who~~
26 ~~is receiving special education and a service under Section 56363,~~
27 ~~a public agency is not responsible for the postsurgical maintenance,~~
28 ~~programming, or replacement of the medical device that has been~~
29 ~~surgically implanted, or of an external component of the surgically~~
30 ~~implanted medical device.~~

31 ~~(e) State moneys appropriated to districts or local educational~~
32 ~~agencies may not be used for any additional responsibilities and~~
33 ~~services associated with paragraphs (1) and (2) of subdivision (d),~~
34 ~~including the training of special education teachers and other~~
35 ~~specialists, even if those additional responsibilities or services are~~
36 ~~required pursuant to a judicial or state agency determination. Those~~
37 ~~responsibilities and services shall only be funded by a local~~
38 ~~educational agency as follows:~~

39 ~~(1) The costs of those activities shall be funded from existing~~
40 ~~programs and funding sources.~~

1 ~~(2) Those activities shall be supported by the resources otherwise~~
2 ~~made available to those programs.~~

3 ~~(3) Those activities shall be consistent with Sections 56240 to~~
4 ~~56243, inclusive.~~

5 ~~(f) It is the intent of the Legislature that the communication~~
6 ~~skills of teachers who work with hard-of-hearing and deaf children~~
7 ~~be improved. This section does not remove the discretionary~~
8 ~~authority of the local educational agency in regard to in-service~~
9 ~~activities.~~

10 ~~(g) Beginning not later than one year before the pupil reaches~~
11 ~~the age of 18 years, a statement that the pupil has been informed~~
12 ~~of the pupil's rights under this part, if any, that will transfer to the~~
13 ~~pupil upon reaching the age of 18 years pursuant to Section~~
14 ~~56041.5.~~

15 ~~(h) The individualized education program team is not required~~
16 ~~to include information under one component of a pupil's~~
17 ~~individualized education program that is already contained under~~
18 ~~another component of the individualized education program.~~

19 ~~(i) This section does not require that additional information,~~
20 ~~beyond that explicitly required by Section 1414 of Title 20 of the~~
21 ~~United States Code and this part, be included in the individualized~~
22 ~~education program of a pupil.~~

23 ~~SEC. 3. Section 56500.4 of the Education Code is amended to~~
24 ~~read:~~

25 ~~56500.4. (a) Pursuant to Section 1415(b)(3) and (4) and (c)(1)~~
26 ~~of Title 20 of the United States Code, and in accordance with~~
27 ~~Section 300.503 of Title 34 of the Code of Federal Regulations,~~
28 ~~prior written notice shall be given by the public agency to the~~
29 ~~parents or guardians of an individual with exceptional needs, or~~
30 ~~to the parents or guardians of a child upon initial referral for~~
31 ~~assessment, and a reasonable time before the public agency~~
32 ~~proposes to initiate or change, or refuses to initiate or change, the~~
33 ~~identification, assessment, or educational placement of the child,~~
34 ~~including any changes to the planned type or level of individualized~~
35 ~~education program services, or the provision of a free appropriate~~
36 ~~public education to the child. In accordance with Sections 300.304~~
37 ~~and 300.503 of Title 34 of the Code of Federal Regulations, the~~
38 ~~public agency shall provide a description of any assessment~~
39 ~~procedures the agency proposes to conduct.~~

1 ~~(b) The notice required under subdivision (a) shall, in accordance~~
2 ~~with Section 300.503(b) of Title 34 of the Code of Federal~~
3 ~~Regulations, include all of the following:~~

4 ~~(1) A description of the action proposed or refused by the public~~
5 ~~agency.~~

6 ~~(2) An explanation of why the public agency proposes or refuses~~
7 ~~to take the action.~~

8 ~~(3) A description of each assessment procedure, assessment,~~
9 ~~record, or report the public agency used as a basis for the proposed~~
10 ~~or refused action.~~

11 ~~(4) A statement that the parents of an individual with exceptional~~
12 ~~needs have protection under the procedural safeguards of this part~~
13 ~~and a copy of the procedural safeguards.~~

14 ~~(5) Sources for parents to contact to obtain assistance in~~
15 ~~understanding the provisions of this part, including, but not limited~~
16 ~~to, the link on the department's Internet Web site that provides the~~
17 ~~contact information for all family empowerment centers and parent~~
18 ~~training and information centers in the special education local plan~~
19 ~~area of which the local educational agency is a member, or, upon~~
20 ~~the request of a parent, a printed copy of that information.~~

21 ~~(6) A description of other options that the individualized~~
22 ~~education program team considered and the reasons why those~~
23 ~~options were rejected.~~

24 ~~(7) A description of other factors that are relevant to the proposal~~
25 ~~or refusal of the agency.~~

26 ~~(e) The local educational agency responsible for implementation~~
27 ~~of a pupil's individualized education program shall ensure that a~~
28 ~~copy of each prior written notice given pursuant to this section is~~
29 ~~included in the pupil's records.~~

30 *SECTION 1. Section 56301.5 is added to the Education Code,*
31 *to read:*

32 *56301.5. Each special education local plan area shall require*
33 *each local educational agency to provide informational materials,*
34 *including, but not limited to, pupil and parent rights provided*
35 *under the federal Individuals with Disabilities Education Act (20*
36 *U.S.C. Sec. 1400 et seq.) and information regarding family*
37 *empowerment centers, including the link on the department's*
38 *Internet Web site that provides the contact information for all*
39 *family empowerment centers, and parent training and information*
40 *centers in their community. The materials shall be provided in the*

1 *three most common languages used by parents served by the local*
2 *educational agency in the special education local plan area and*
3 *shall be made available for local educational agencies to provide*
4 *to their parents in their annual parent notification information.*

5 *SEC. 2. Section 56500.7 is added to the Education Code, to*
6 *read:*

7 *56500.7. The local educational agency responsible for*
8 *implementation of a pupil’s individualized education program*
9 *shall ensure that a copy of each prior written notice given pursuant*
10 *to Section 56500.4 is included in the pupil’s records.*

11 ~~SEC. 4.~~

12 *SEC. 3. Section 56600.7 is added to the Education Code, to*
13 *read:*

14 *56600.7. The local educational agency responsible for*
15 *implementation of a pupil’s individualized education program*
16 *shall annually report to the department the actual frequency and*
17 *duration of each related mental health service provided to the pupil*
18 *pursuant to the pupil’s individualized education program.*

19 ~~SEC. 5.~~

20 *SEC. 4. Section 56607 is added to the Education Code, to read:*

21 *56607. (a) A special education local plan area shall document*
22 *and report to the department all mental health and special education*
23 *services funding allocations and expenditures and specify the dollar*
24 *amount for each service.*

25 *(b) The department shall post the information on the*
26 *department’s Internet Web site.*

27 *(c) The department shall align accounting code systems to allow*
28 *the department and school districts or special education local plan*
29 *areas to accurately document the amount of funds expended for*
30 *the provision of mental health and special education services from*
31 *each funding source.*

32 ~~SEC. 6.~~

33 *SEC. 5. Section 56608 is added to the Education Code, to read:*

34 *56608. For each pupil receiving individualized education*
35 *program-related mental health services, each local educational*
36 *agency shall annually provide to the department the data needed*
37 *to document the pupil’s outcomes on all of the following outcome*
38 *indicators that are applicable to the pupil:*

39 *(a) Graduation rate.*

40 *(b) Dropout rate.*

- 1 (c) Statewide assessment results.
- 2 (d) Suspension and expulsion rates.
- 3 (e) Participation in general education classes.
- 4 (f) Postschool outcomes.

5 ~~SEC. 7.~~

6 *SEC. 6.* Section 56609 is added to the Education Code, to read:

7 56609. (a) The department shall monitor the number and
8 frequency of ~~related~~ *mental health* services reported annually by
9 local educational agencies and shall compare year-to-year changes
10 for each local educational agency. If year-to-year services decline
11 significantly, then the department shall investigate the cause for
12 the decline in service provision.

13 (b) As part of its monitoring activities, the department shall
14 review each local educational agency's procedures and documents
15 used to meet the prior written notice requirement in Section
16 56500.4, and shall require corrections to those procedures and
17 documents if the department finds that the procedures or documents
18 do not fulfill statutory requirements.

19 ~~SEC. 8.~~

20 *SEC. 7.* If the Commission on State Mandates determines that
21 this act contains costs mandated by the state, reimbursement to
22 local agencies and school districts for those costs shall be made
23 pursuant to Part 7 (commencing with Section 17500) of Division
24 4 of Title 2 of the Government Code.

25 ~~SEC. 9.~~

26 *SEC. 8.* It is the intent of the Legislature to enact legislation
27 relating to the provision of mental health services to pupils with
28 exceptional needs.