

Date of Hearing: March 21, 2023

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Mike Fong, Chair
AB 624 (Grayson) – As Amended March 13, 2023

SUBJECT: Postsecondary education: disabled student services: assessments

SUMMARY: Requires the Trustees of the California State University (CSU), the Board of Governors of the California Community Colleges (CCC), and the governing bodies of private institutions of higher education, as described, for their respective systems, and would request the Regents of the University of California (UC), to cover the costs of diagnostic assessments as proof for academic accommodations. Specifically, **this bill:**

- 1) Requires the Trustees of the CSU, the Board of Governors of the CCC, and the governing bodies of independent institutions of higher education, as defined, and private postsecondary educational institutions, as defined to cover the costs of diagnostic assessments, including continuing assessments, any required documentation, and individual and group assessments provided by the institution, as proof for academic accommodations.
- 2) Requests the Regents of the UC are requested to cover the costs of diagnostic assessments, including continuing assessments, any required documentation, and individual and group assessments provided by the institution, as proof for academic accommodations.
- 3) Specifies that state funds may be provided annually for the cost of these services on an actual-cost basis, including wages for the individuals providing these services and expenses for attendant supplies. Each institution, as described, is responsible for documenting its costs to the appropriate state agencies.
- 4) Requires a governing body, as described, to post on its internet website, in a manner that is readily noticeable to students, that the governing body will cover the costs as specified.
- 5) Revises the intent of the Legislature relating to diagnostic assessments by including costs for continuing assessments, required documentation, and individual and group assessments provided by the institution.
- 6) Expands the purpose of the assessments to include defining specific disabilities of the student and as proof for academic or institutional accommodations.

EXISTING LAW:

- 1) Makes legislative findings and declarations that set forth the principles for public postsecondary institutions and budgetary control agencies to observe in providing postsecondary programs and services for students with disabilities, including the principle that state-funded activity is directly related to the functional limitations of the verifiable disabilities of the students to be served. Additionally, establishes the intent of the Legislature that, as appropriate for each postsecondary segment, funds for disabled student programs and services be based on three categories of costs, including a

continuing variable costs category for services that vary in frequency depending on the needs of students, such as, among other services, diagnostic assessment, including both individual and group assessment not otherwise provided by the institution to determine functional, educational, or employment levels or to certify specific disabilities. (Education Code (EDC) Section 67311)

FISCAL EFFECT: Unknown

COMMENTS: *Purpose.* According to the author, “although students with disabilities in higher education are protected by state, federal, and local laws that prohibit discrimination, they still face significant barriers to academic success. In addition to the traditional challenges students may have for paying for college in general, students with disabilities may have other unique expenses related to their disability that may impact their ability to attend college and/or be academically successful.”

“While testing accommodations and disability resources are available, students must still obtain their own medical testing and paperwork in order to qualify to receive accommodations on campus. These learning disability assessments can cost thousands of dollars, ranging between \$500-\$2,500 dollars, creating an unfair economic disparity for students who have disabilities. AB 624 supports students with disabilities by expanding the Legislature’s commitment to equity by including the costs of continuing assessments for proof of academic accommodations.”

Review of data. According to the U.S. Census’ American Community Survey (ACS), in 2021 13% of the civilian population reported having some form of disability. Among the disability types listed by the ACS (hearing, vision, cognitive, ambulatory, self-care, and independent living difficulties), ambulatory difficulties are the most reported (7%). There are also considerable differences in disability reporting by race/ethnicity, with Native American (15%), non-Hispanic White (14%), and Black (15%) populations the most likely to report having a disability. Asian (8%) people are the least likely to report having one.

Among the 38 million people who are 25 or older and report having a disability, 6.7 million (18%) held a bachelor’s degree or higher in 2019, up from 13% in 2010. However, this is considerably lower than the 36% of the population who does not report a disability in 2019.

According to the National Center for Education Statistics, in the 2015-16 academic year the following groups self-reported having a disability:

- 1) 19% of all enrolled undergraduates and 12% of all enrolled graduate students.
- 2) 19% of male undergraduates and 20% of female undergraduates, and 10% of male and 13% of female graduate students.
- 3) 26% of undergraduate student veterans and 17% of graduate student veterans.
- 4) 23% of undergraduates ages 30 and older, 22% of undergraduates ages 24 to 29, and 18% of undergraduates ages 15 to 23.
- 5) 14% of graduate students ages 30 and older, 11% of graduate students ages 24 to 29, and 8% of graduate students ages 15 to 23.

- 6) Among undergraduates, 28% of Native American students, 24% of Pacific Islander students, 21% of white students, 18% of Hispanic students, 17% of Black students, and 15% of Asian students.
- 7) Among graduate students, 15% of Pacific Islander students, 14% of Hispanic students, 13% of white students, 12% of Native American students, 10% of Black students, and 6% of Asian students

Accommodation on campus. CSU and UC campuses follow a set of systemwide guidelines for the accommodation of students with learning disabilities. CSU campuses note in their systemwide policy that “documentation should validate the need for accommodations and support services based on the student’s current level of functioning in the educational setting. A school plan, such as an Individualized Education Program (IEP) or a ‘504 plan’ alone is insufficient documentation to support a student’s eligibility, but may be included as historical information in a more comprehensive assessment battery.”

Committee staff understands that some CSU campuses have a dedicated learning disability specialist; however, campus learning disabilities specialists do not determine a specific diagnosis. Instead, these specialists provide an educational learning profile to help the student identify ideal ways of learning. CSU staff estimated that less than 10 campuses currently have learning disabilities specialists.

The UC’s policy specifies that it is the responsibility of each student who requests accommodation services from the UC to provide a comprehensive written evaluation of their specific learning disorder. In order to document a student’s need for reasonable accommodations and support services and verify the student’s eligibility under Federal, State, and UC mandates, the aforementioned evaluation must demonstrate a clinical diagnosis of a specific learning disorder. The policy also notes that testing must be comprehensive, and that it is not acceptable to administer only one test in making a diagnosis.

UC Los Angeles (UCLA) offers the Will Rogers Memorial Scholarship, which can be used by a student who is registered with the UCLA Center for Accessible Education for a different disability, but wishes to be assessed for a learning disability, or students who are referred for an assessment and begin the testing process.

Stanford University, one of California’s independent institutions, require students, who request academic accommodations, to submit documentation concerning their disability. Documentation is evaluated by professional staff and used to both verify disability and complement self-report of lived experience while determining appropriate academic accommodations. All student cases are assessed individually.

Arguments in support. Generation Up, the sponsor of this bill, writes that “with the demanding academic and economic burdens of higher education, students face an overwhelming amount of pressures that may be debilitating to their academic performance, but disproportionately affected by these challenges are students with disabilities. These students in higher education are to be protected by state, federal, and local laws that prohibit discrimination as well as mandate that there be services to help accommodate them, but universities are not doing enough...in order to receive accommodations on campus, these students are required to obtain medical testing and

paperwork on their own. It is imperative that universities support all their students by waiving and/or covering the costs of learning disability assessments so that students can get the accommodations they need to test or retest without suffering from the financial burdens in this process. It is the responsibility of the university to provide an environment for students where they feel both acknowledged and supported when it comes to academic needs without any economic caveats.”

REGISTERED SUPPORT / OPPOSITION:**Support**

Generation Up (Sponsor)

Opposition

None on file

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