

# **SB 217 (Portantino)**

## **Special Education Early Intervention Grant Program**

### **PROBLEM**

According to the LAO, approximately 50,000 children age 3 and 4 have been identified as having a disability. State Preschool and Head Start serve approximately only 15,000 of these children. Of the 15,000, state preschool's serve less than 3,000 of these students. California does not do enough to support students with disabilities, which detrimentally affects this already marginalized group. California should look to increase the number of children with special needs in mainstream quality early educational settings.

### **BACKGROUND**

Current law requires Special Education Local Plan Areas (SELPA's) to serve children with disabilities from age 3 or older. The AB 602 formula for Special Education funding provides SELPA's with funding based on a census model and uses the count of K-12 attendance including Transitional Kindergarten (TK). Children not included in TK are not included in the attendance count for purposes of generating funding.

Research supports the importance of quality early education programs for children with disabilities both for the potential to improve outcomes for children at earlier ages and to result in financial savings to school districts over the long-term. California's Statewide Task Force on Special Education included a recommendation to improve access to high quality childcare and preschool for children with disabilities.

### **SUMMARY**

This bill would require, for the 2019–20 school year and each school year thereafter, a

school district or charter school to admit a child to a transitional kindergarten program who will have their 5th birthday after December 2 but during that same school year if the child is an individual with exceptional needs, subject to specified conditions.

This bill would establish the Special Education Early Intervention Grant Program, and would require as part of that program, subject to an appropriation in the annual Budget Act or another statute, the Superintendent to allocate to school districts \$4,000 per child within the school district of residence who is 3 or 4 years of age, is an individual with exceptional needs, and is enrolled in transitional kindergarten, a California state preschool program, a federal Head Start program, or any other early education preschool program, as provided.

The bill would require a school district, as a condition of receiving funds, to coordinate with its special education local plan area to provide specified data relating to the grant program to the Superintendent. The bill would require the Superintendent to report this data to the appropriate fiscal and policy committees of the Legislature, the Department of Finance, the State Board of Education, and the Legislative Analyst's Office by March 1 of each year.

### **EXISTING LAW**

Existing law authorizes a school district or charter school to maintain a transitional kindergarten program. Existing law requires, in the 2014–15 school year and each school year thereafter, and as a condition of receipt of apportionments for pupils in a transitional kindergarten program, a child who will have their 5th birthday between September 2 and December 2 to be admitted to a transitional kindergarten program maintained by a school dis-

trict or charter school. Existing law authorizes, for the 2015–16 school year, and each school year thereafter, a school district or charter school to admit a child to a transitional kindergarten program who will have their 5th birthday after December 2 but during that same school year, as provided.

Existing law requires school districts, county offices of education, and special education local plan areas to identify, locate, and assess individuals with exceptional needs and to provide those pupils with a free appropriate public education in the least restrictive environment, and with special education and related services as reflected in an individualized education program.

Existing law requires the Superintendent of Public Instruction to determine the amount of funding to be provided for each special education local plan area in accordance with specified calculations and to allocate funds per unit of average daily attendance reported for each special education local plan area.

## **SUPPORT**

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**Version:** 2/11/2019

