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**SB-291 Advisory Commission on Special Education.** (2021-2022)

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Date Published: 10/03/2022 02:00 PM

**Senate Bill No. 291**

**CHAPTER 917**

An act to amend Section 33590 of the Education Code, relating to special education.

[ Approved by Governor September 30, 2022. Filed with Secretary of State September 30, 2022. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 291, Stern. Advisory Commission on Special Education.

Existing law establishes the Advisory Commission on Special Education as an entity in state government consisting of 17 members to, among other things, study and provide assistance and advice to the State Board of Education, the Superintendent of Public Instruction, the Legislature, and the Governor in new or continuing areas of research, program development, and evaluation in special education.

This bill would increase the number of members on the commission to 19 and would require the commission to appoint 2 pupils with exceptional needs, 16 to 22 years of age, inclusive, to the commission for a term of one year, as provided.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 33590 of the Education Code is amended to read:

**33590.** (a) There is in state government the Advisory Commission on Special Education consisting of the following 19 members:

- (1) A Member of the Assembly appointed by the Speaker of the Assembly.
- (2) A Member of the Senate appointed by the Senate Committee on Rules.
- (3) Three public members appointed by the Speaker of the Assembly, two of whom shall be individuals with a disability or parents of pupils in either a public or private school who have received or are currently receiving special education services due to a disabling condition.
- (4) Three public members appointed by the Senate Committee on Rules, two of whom shall be individuals with a disability or parents of pupils in either a public or private school who have received or are currently receiving special education services due to a disabling condition.
- (5) Four public members appointed by the Governor, two of whom shall be parents of pupils in either a public or private school who have received or are currently receiving special education services due to a disabling condition.

(6) Five public members appointed by the State Board of Education, upon the recommendation of the Superintendent or the members of the State Board of Education, three of whom shall be parents of pupils in either a public or private school who have received or are currently receiving special education services due to a disabling condition, and one of whom shall be a representative of the charter school community.

(7) Two members appointed by the commission, both of whom shall be pupils with exceptional needs, 16 to 22 years of age, inclusive.

(b) (1) Each member shall be selected to ensure that the commission is representative of the state population and composed of individuals involved in, or concerned with, the education of children with disabilities, including parents of children with disabilities, ages birth to 26 years, inclusive; individuals with disabilities; teachers; representatives of higher education that prepare special education and related services personnel; state and local education officials, including, but not limited to, officials who carry out activities under Part B (commencing with Section 11431, et seq.) of Subchapter VI of Title 42 of the United States Code; administrators of programs for children with disabilities; representatives of other state agencies involved in the financing or delivery of related services to children with disabilities; representatives of private schools and public charter schools; at least one representative of a vocational community or business organization concerned with the provision of transition services to children with disabilities; and a representative from the State Department of Social Services responsible for foster care; and representatives from the state juvenile and adult corrections agencies.

(2) Each member shall be knowledgeable about the wide variety of disabling conditions that require special programs in order to achieve the goal of providing an appropriate education to all eligible pupils.

(3) A majority of the members of the commission shall be individuals with disabilities or parents of children with disabilities who are ages birth to 26 years, inclusive.

(c) The commission shall select one of its members to be chairperson of the commission. In addition to other duties, the chairperson shall notify the appointing bodies when a vacancy occurs on the commission and of the type of representative listed in subdivision (b) who is required to be appointed to fill the vacancy.

(d) (1) Except as provided in paragraph (2), the term of each public member is four years.

(2) The term of each pupil appointed pursuant to paragraph (7) of subdivision (a) is one year, with the option to serve a second term of one year.

(e) A public member may not serve more than two terms.