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SB-692 Special education: pupils with disabilities: least restrictive environment. (2021-2022)

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Senate Bill No. 692

CHAPTER 919

An act to add Sections 56049 and 56049.1 to 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 692, Cortese. Special education: pupils with disabilities: least restrictive environment.

Existing law requires local educational agencies to identify, locate, and assess individuals with exceptional needs and to provide those individuals with a free appropriate public education in the least restrictive environment, with special education and related services, as reflected in an individualized education program.

This bill would require the State Department of Education to, on or before November 30, 2023, publish data related to federal measures of least restrictive environment for pupils with disabilities, as provided. The bill would make findings and declarations relating to pupils with disabilities.

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

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

SECTION 1. Section 56049 is added to the Education Code, immediately following Section 56048, to read:

56049. The Legislature finds and declares all of the following:

- (a) All pupils are general education pupils first, including pupils with disabilities.
- (b) Comprehensive local educational agency and school-level fiscal and programmatic planning, including planning conducted pursuant to Section 52064, must reflect the needs of all pupils, including pupils with disabilities.
- (c) Inclusion in general education classrooms and programs should be considered the first setting for all pupils, unless the individualized education program for a pupil with a disability determines that another setting is more suitable to guarantee a free and appropriate public education.
- (d) Data transparency and analysis are essential to understanding the needs of pupils. Local educational agencies should use all available data sources on pupils with disabilities, with a particular focus on least restrictive environment data, to inform continuous improvement efforts.

SEC. 2. Section 56049.1 is added to the Education Code, to read:

56049.1. (a) On or before November 30, 2023, the department shall publish data related to federal measures of least restrictive environment for pupils with disabilities on its internet website and shall include it as a resource on the California School Dashboard, established pursuant to subdivision (f) of Section 52064.5.

(b) The data shall be disaggregated by race or ethnicity and local educational agency.