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AB-2821 Postsecondary education: students with disabilities. (2023-2024)

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Assembly Bill No. 2821

CHAPTER 905

An act to amend Section 67312 of, and to add Section 67312.5 to, the Education Code, relating to postsecondary education.

[Approved by Governor September 28, 2024. Filed with Secretary of State September 28, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2821, Grayson. Postsecondary education: students with disabilities.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, the California State University, under the administration of the Trustees of the California State University, the University of California, under the administration of the Regents of the University of California, and independent institutions of higher education as 4 of the segments of postsecondary education in the state. Existing law requires the Board of Governors of the California Community Colleges and the Trustees of the California State University, and authorizes the Regents of the University of California, to carry out specified actions for their respective systems regarding state-funded programs and services for students with disabilities, including developing and implementing a system for evaluating state-funded programs and services for disabled students on each campus at least every 5 years. Existing law requires those systems, at a minimum, to provide for the gathering of outcome data, staff and student perceptions of program effectiveness, and data on the implementation of specified program and physical accessibility requirements of the Federal Rehabilitation Act of 1973.

This bill would require the systems for evaluating state-funded programs and services to also provide for the gathering of program costs and budget breakdowns. The bill would require the Trustees of the California State University, and would request the Regents of the University of California and the governing boards of independent institutions of higher education, to provide, as part of existing college personnel onboarding and training, a Disability Access and Compliance Training Program that meets prescribed requirements.

This bill would require the Chancellor of the California Community Colleges to establish, on or before January 1, 2026, a Disability Access and Compliance Training Program for California Community College campuses that meets prescribed requirements, and would require the chancellor and community college districts to develop specified training components. The bill would require community college districts, on or before the start of the 2026–27 academic year, to include the Disability Access and Compliance Training Program within existing college personnel training and onboarding, as specified. To the extent the bill would impose new duties on community college campuses and community college districts, the bill would impose a state-mandated local program. The bill would delete an obsolete reference and provision.

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 the statutory provisions noted above.

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

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

SECTION 1. Section 67312 of the Education Code is amended to read:

67312. (a) The Board of Governors of the California Community Colleges and the Trustees of the California State University shall, and the Regents of the University of California are requested to, for their respective systems, do all of the following:

(1) Work with the Department of Finance to develop formulas or procedures for allocating funds authorized under this chapter.

(2) Adopt rules and regulations necessary to the operation of programs funded pursuant to this chapter.

(3) Develop and implement, in consultation with students and staff, a system for evaluating state-funded programs and services for disabled students on each campus at least every five years. At a minimum, these systems shall provide for the gathering of program cost and budget breakdowns, outcome data, staff and student perceptions of program effectiveness, and data on the implementation of the program and physical accessibility requirements of the Federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794).

(b) (1) The Trustees of the California State University shall, and the Regents of the University of California are requested to, for their respective systems, provide, as part of established college personnel onboarding and training, information regarding disability access and compliance pursuant to Section 67312.5.

(2) The Chancellor of the California Community Colleges and community college districts shall collaborate to provide, as part of established college personnel onboarding and training, information regarding disability access and compliance pursuant to Section 67312.5.

(c) Commencing in January 1990, and every two years thereafter, the Board of Governors of the California Community Colleges shall submit a report to the Governor and the education policy committees of the Legislature describing its efforts to serve students with disabilities. These biennial reports shall also include a review on a campus-by-campus basis of the enrollment, retention, transition, and graduation rates of disabled students, including categorical funding of those programs.

SEC. 2. Section 67312.5 is added to the Education Code, to read:

67312.5. (a) The Trustees of the California State University shall, and the Regents of the University of California and the governing boards of independent postsecondary institutions are requested to, each establish a Disability Access and Compliance Training Program for their campuses. A Disability Access and Compliance Training Program shall be included within existing college personnel training and provided to college personnel upon onboarding.

(b) (1) On or before January 1, 2026, the Chancellor of the California Community Colleges shall establish a Disability Access and Compliance Training Program for California Community College campuses. On or before the start of the 2026–27 academic year, community college districts shall include the Disability Access and Compliance Training Program within existing college personnel training and provide the training to college personnel upon onboarding.

(2) The Chancellor of the California Community Colleges shall develop the training components described in paragraphs (1), (2), and (3) of subdivision (c). Each community college district shall develop the training components described in paragraphs (4) and (5) of subdivision (c).

(c) A Disability Access and Compliance Training Program established pursuant to subdivision (a) or (b) shall include, but is not limited to, all of the following:

(1) The legal and procedural responsibility of college personnel to provide effective accommodations for disabled students, the implementation and administration of this responsibility, and the campus, criminal, and civil consequences for failing to comply with this responsibility.

(2) Guidance regarding constructing and enforcing accessibility fixtures and practices in the universal design of campus coursework and classrooms.

(3) Common facts and myths regarding anti-disability and ableist stigmas and prejudices, including guidance on how to mitigate and report instances of anti-disability and ableist discrimination and harassment.

(4) The availability of, and contact information for, academic, campus, and local community resources for individuals experiencing anti-disability or ableist discrimination or harassment.

(5) Training on how to increase access to campus academic accommodations hubs, disability students program faculty liaisons, academic accommodations guidance, disability access center disability access liaison team members, designated campus department ambassadors, and any other relevant campus personnel to offer additional support to students with disabilities.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.