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AB-784 Special education: specialized deaf and hard-of-hearing services. (2025-2026)

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Assembly Bill No. 784

CHAPTER 44

An act to amend Section 56031 of the Education Code, relating to special education.

[Approved by Governor July 14, 2025. Filed with Secretary of State July 14, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 784, Hoover. Special education: specialized deaf and hard-of-hearing services.

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. Existing law defines "special education" as specially designed instruction, at no cost to the parent, to meet the unique needs of individuals with exceptional needs. Existing law includes in that definition speech-language pathology services and certain other services if the service is considered special education rather than a designated instruction and service or related service under state standards.

This bill would prohibit those provisions from being construed to prohibit an individualized education program from including specialized deaf and hard-of-hearing related services as the only services.

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

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

SECTION 1. The Legislature finds and declares all of the following:

(a) Deaf or hard-of-hearing pupils have unique communication, language, and educational access needs that may not always require placement in a special day class or receipt of core academic instruction by a special education teacher.

(b) Sections 3051.16 and 3051.18 of Title 5 of the California Code of Regulations establish specialized services for pupils with hearing impairments that may include language and communication development, auditory skill development, and educational accommodations and supports.

(c) "Specialized deaf and hard of hearing services," as identified by Service Code 710 of the California Special Education Management Information System, refers to related services that may be provided in isolation from other special education services, based solely on the pupil's assessed needs.

(d) There is a need to clarify that these services may be delivered as standalone services and may be appropriately contracted through certified nonpublic, nonsectarian agencies when a teacher of a deaf or hard-of-hearing pupil is not delivering core academic instruction, but rather is delivering related services supporting the pupil's access and communication.

SEC. 2. Section 56031 of the Education Code is amended to read:

56031. (a) "Special education," in accordance with Section 1401(29) of Title 20 of the United States Code, means specially designed instruction, at no cost to the parent, to meet the unique needs of individuals with exceptional needs, including instruction conducted in the classroom, in the home, in hospitals and institutions, and other settings, and instruction in physical education.

(b) In accordance with Section 300.39 of Title 34 of the Code of Federal Regulations, special education includes each of the following, if the services otherwise meet the requirements of subdivision (a):

(1) Speech-language pathology services, or any other designated instruction and service or related service, pursuant to Section 56363, if the service is considered special education rather than a designated instruction and service or related service under state standards.

(2) Travel training.

(3) Vocational education.

(c) Transition services for individuals with exceptional needs may be special education, in accordance with Section 300.43(b) of Title 34 of the Code of Federal Regulations, if provided as specially designed instruction, or a related service, if required to assist an individual with exceptional needs to benefit from special education.

(d) Individuals with exceptional needs shall be grouped for instructional purposes according to their instructional needs.

(e) This section shall not be construed to prohibit an individualized education program from including specialized deaf and hard-of-hearing related services as the only services.