



California Coalition for **FAIR SCHOOL FINANCE**
A Community Education Project

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CALIFORNIA'S MASTER PLAN FOR SPECIAL EDUCATION

BACKGROUND

Special education classes for students with physical and mental disabilities have a long history in California. The first classes were held in 1860 when a public school for blind and deaf youngsters opened its doors in Berkeley. By 1970 California state laws provided for 28 separate programs for the handicapped. Later in the decade California developed a Master Plan to combine services for the handicapped, which was implemented as a pilot program in 1974 (AB 4040) and extended by the legislature in 1977 (AB 1250).

This state is not alone in providing special education for handicapped. A series of significant court decisions and federal and state laws have affected education for the handicapped across the country. Citing the need for all children to have "equal educational opportunities," the courts have required states to provide classes for handicapped students. Federal and state laws, sometimes overlapping and conflicting, have implemented the courts' requirements. The major federal law is PL 94-142, the "Education for All Handicapped Children Act," which was passed in 1975. This law requires a free, appropriate public education for all handicapped 3 through 21 years and provides some federal financial support to states to implement the law.

CALIFORNIA'S MASTER PLAN

The most recent comprehensive special education law for California, SB 1870 (Rodda), was passed in July, 1980, and amended in AB 3075. These laws are now the vehicle for California's compliance with the federal law, PL 94-142. Based on the original master plan and pilot program, SB 1870 combines all of California's programs for the handicapped into a single new Master Plan for Special Education. The State Department of Education, county offices of education, school districts, and independent agencies which give services to the handicapped are all involved in restructuring special education services to meet the provisions of the new law. After a transition period, the Master Plan will be fully implemented throughout the state.

ELIGIBILITY

SB 1870 guarantees a free, appropriate education to all handicapped individuals ages 3 through 21 years. (California's compulsory attendance law requires children ages 6 to 16 years to attend school.) Handicapped individuals

birth through 21 years must be "actively sought and referred for assessment" and may be provided early educational opportunities by each local school district. The many kinds of disabilities covered by the new Master Plan include deaf, hard of hearing, mentally retarded, speech impaired, visually handicapped, deaf-blind, autistic, orthopedically handicapped, other health impaired, seriously emotionally disturbed, behaviorally disordered, developmentally handicapped, and specific learning disabled.

Assessment of each student before being assigned to special education classes is required by SB 1870. Parents must be notified and must give permission before the assessment can take place. The law is specific about timelines, procedures, and items to be included in the evaluation.

Upon completion of the assessment, an Individual Education Program (IEP) is to be developed for each student and discussed with parents. The student's progress is carefully monitored and the IEP updated at least annually.

INSTRUCTION

The thrust in SB 1870, just as in PL 94-142, is that the handicapped students be in regular classrooms as much as possible "in a manner which is appropriate to handicapped and non-handicapped students"; this is commonly called "mainstreaming." The classroom placement which best suits the students' learning needs is the choice to be made. The criteria for placing students is the "least restrictive environment." Labeling and grouping according to disability, such as blindness or orthopedically handicapped, is discouraged.

Several options for instruction and services are available and may be included in the IEP. A handicapped student's learning program may include any combination of regular class placement and/or

- special day classes and centers
- special help from resource specialists
- designated instruction and services
- state special schools
- nonpublic, nonsectarian school services.

Protection of the rights of handicapped students, parents, and school districts mandated in previous state and federal special education legislation is continued in SB 1870. For example, if a school district thinks that a particular child needs special help and parents refuse consent for assessment, the district may request a hearing on the matter. Students and parents also have the right to a "fair hearing" on specific matters. New in this Master Plan is strong encouragement that mediation efforts be undertaken to settle problems.

SCHOOL DISTRICT AND REGIONAL PLANS

Every school district in the state is required to approve a plan and a budget for educating its handicapped students, following the requirements of SB 1870. Service is to be provided on a regional basis. The state is divided into many

"service regions," each of a minimum geographic size and student population. Each service region will develop and maintain its own special education plan. School districts, nonpublic schools, agencies and the county office of education in a given region will cooperate in the development of the plan. A community advisory council, representing the service region, will review that plan; boards of education of participating school districts must approve it. Although each school district remains responsible for identifying children and ensuring their education, the actual classes may take place within or outside of the district of residence.

FUNDING FOR MASTER PLAN

The new Master Plan is one of many education programs that are primarily paid for by state and federal funds specifically granted to school districts for children with special needs, for special programs, or special purposes. These programs are called "categorical" because funds received for them by school districts are regulated and can be spent only on these categories of children or special programs. The funds are granted in addition to general purpose revenues that support a school district's regular program. The money for Master Plan services is paid to the school district or to the county office according to the cost of each service unit, or instructional setting, and the numbers of children in that setting.

Traditionally a mix of federal, state and local funds has paid for the costs of special education programs, whether in public or private schools. State and federal funds will continue to pay the major share of the cost, through SB 1870 and PL 94-142. However, since the federal law and the Master Plan require that all handicapped individuals be educated, any shortfall in state or federal funding will have to be made up by local districts. For many districts the actual costs of categorical programs such as special education exceed the revenue received for them; these costs must be covered by general purpose funds of the district.

In SB 1870 a ceiling is placed on the number of handicapped students who may be funded by the state (10% of the total student population). In addition a lid is placed in the number of students who may be placed in each instructional setting. The law also attempts to limit the cost to local districts to their 1978-79 levels.

MORE INFORMATION

This is a general explanation of a complex new system for serving the educational needs of handicapped individuals in the state of California. For more detailed information, contact your school district or county office of education.

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