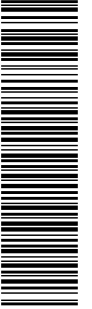


An act to amend Sections 95007, 95008, 95012, and 95024 of, and to add Chapter 3.1 to Title 14 (commencing with Section 95013) of, the Government Code, relating to developmental services.

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

SECTION 1. Section 95007 of the Government Code is amended to read:

95007. The State Department of Developmental Services shall serve as the lead agency responsible for administration and coordination of the statewide system. The specific duties and responsibilities of the State Department of Developmental Services shall include, but are not limited to, all of the following:

(a) Establishing a single point of contact with the federal Office of Special Education Programs for the administration of Part C of the federal Individuals with Disabilities Education Act.

(b) Administering the state early intervention system in accordance with Part C of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1431 et seq.), applicable regulations, and an approved state application.

(c) Administering mandatory and discretionary components as specified in Sections 95022 and 95024.

(d) Administering fiscal arrangements and interagency agreements with participating agencies and community-based organizations to implement this title.

(e) ~~(1)~~ Establishing interagency procedures, including the designation of local coordinating structures, as are necessary to share agency information and to coordinate policymaking activities. In developing these procedures, efforts shall be made to schedule meetings with, and engage parents and legal guardians in, transition-related activities.

~~(2) Require each regional center to designate a main point of contact for coordinating and completing, with other agencies and persons, the transition of a child and family from Part C to Part B of the federal Individuals with Disabilities Education Act, including establishing practices to educate and support families during transition.~~

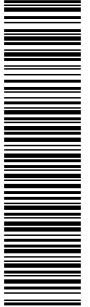
(f) Adopting written procedures for receiving and resolving complaints regarding violations of Part C of the federal Individuals with Disabilities Education Act by public agencies covered under this title, as specified in Section 1435(a)(10) of Title 20 of the United States Code and appropriate federal regulations.

(g) Establishing, adopting, and implementing procedural safeguards that comply with the requirements of Part C of the federal Individuals with Disabilities Education Act, as specified in Section 1439 of Title 20 of the United States Code and appropriate federal regulations.

(h) (1) Monitoring of agencies, institutions, and organizations receiving assistance under this title.

(2) Monitoring shall be conducted by interagency teams that are sufficiently trained to ensure compliance. Interagency teams shall consist of, but not be limited to, representatives from the State Department of Developmental Services, the State Department of Education, the interagency coordinating council, or a local family resource center or network, parent, direct service provider, or any other agency responsible for providing early intervention services.

(3) All members of an interagency team shall have access to all information that is subject to review. Members of each interagency team shall maintain the confidentiality of the information, and each member of the interagency team shall sign a written agreement of confidentiality.



(4) A summary of monitoring issues and findings shall be forwarded biannually to the interagency coordinating council for review.

(i) Establishing innovative approaches to information distribution, family support services, and interagency coordination at the local level. This shall include the posting of information for parents specific to transition requirements along with other parent training opportunities on the lead agency's internet website, the regional centers' websites, and other appropriate internet websites.

(j) Ensuring the provision of appropriate early intervention services to all infants eligible under Part C of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1431 et seq.) and under Section 95014, except for those infants who have solely a low incidence disability as defined in Section 56026.5 of the Education Code and who are not eligible for services under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code).

The development and implementation of subdivisions (e) to (h), inclusive, shall be a collaborative effort between the State Department of Developmental Services and the State Department of Education. In establishing the written procedures for receiving and resolving complaints as specified in subdivision (f) and in establishing and implementing procedural safeguards as specified in subdivision (g), it is the intent of the Legislature that these procedures be identical for all infants served under this act and shall be in accordance with Sections 303.400 and 303.420(b) of Title 34 of the Code of Federal Regulations. The procedural safeguards and due process requirements established under this title shall replace and be used in lieu of due process procedures contained in Chapter 1 (commencing with Section 4500) of Division 4.5 of the Welfare and Institutions Code and Part 30 (commencing with Section 56500) of the Education Code for infants and their families eligible under this title.

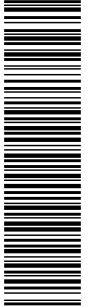
(k) Notwithstanding any other law, the State Department of Developmental Services may issue directives to local educational agencies and regional centers operating programs under this title until updated regulations are adopted, which shall occur no later than June 30, 2029.

SEC. 2. Section 95008 of the Government Code is amended to read:

95008. ~~(a)~~ The State Department of Education shall be responsible for administering services and programs for infants with solely visual, hearing, and severe orthopedic impairments, and any combination thereof, who meet the criteria in Sections 56026 and 56026.5 of the Education Code, and in Section 3030(a), (b), (d), or (e) of, and Section 3031 of, Title 5 of the California Code of Regulations and Part C of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1431 et seq.) and who are not eligible for services under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code).

~~(b) The State Department of Education shall require each local educational agency to designate a main point of contact for coordinating and completing, with other agencies and persons, the transition of a child and family from Part C to Part B of the federal Individuals with Disabilities Education Act, including establishing practices to educate and support families during transition.~~

SEC. 3. Section 95012 of the Government Code is amended to read:



95012. (a) The following departments shall cooperate and coordinate their early intervention services for eligible infants and their families under this title, and need to collaborate with families and communities, to provide a family-centered, comprehensive, multidisciplinary, interagency, community-based early intervention system:

- (1) State Department of Developmental Services.
- (2) State Department of Education.
- (3) State Department of Health Care Services.
- (4) State Department of Social Services.

(b) Each participating department shall enter into an interagency agreement with the State Department of Developmental Services. Each interagency agreement shall specify, at a minimum, the agency's current and continuing level of financial participation in providing services to infants and toddlers with disabilities and their families. Each interagency agreement shall also specify procedures for resolving disputes in a timely manner. Interagency agreements shall also contain provisions for ensuring effective cooperation and coordination among agencies concerning policymaking activities associated with the implementation of this title, including legislative proposals, regulation development, and fiscal planning. All interagency agreements shall be reviewed annually and revised as necessary.

~~(c) In addition to the provisions specified in subdivision (b), the interagency agreement with the State Department of Education shall include provisions related to the joint development and dissemination of educational information about transitioning from Part C of the federal Individuals with Disabilities Education Act.~~

SEC. 4. Chapter 3.1 (commencing with Section 95013) is added to Title 14 of the Government Code, to read:

CHAPTER 3.1. TRANSITION TO PRESCHOOL AND OTHER PROGRAMS

95013. To facilitate a seamless transition between services in Part C and under Part B of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), the State Department of Education, as the state education agency, shall enter into an interagency agreement with the State Department of Developmental Services which shall include provisions that address both of the following:

(a) Federal requirements consistent with Section 303.209(a)(3) of Title 34 of the Code of Federal Regulations.

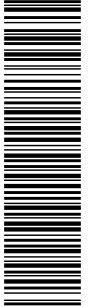
(b) The joint development and dissemination of educational information about transitioning from Part C to Part B.

95013.1. In the transition of a child and family from Part C to Part B of the Individuals with Disabilities Education Act:

(a) Each regional center shall designate a main point of contact for coordinating and completing the transition with other agencies and persons, including establishing practices to educate and support families during transition.

(b) The State Department of Education shall require each local educational agency to designate a main point of contact for coordinating and completing the transition with other agencies and persons.

95013.2. In providing services pursuant to paragraph (2) of subdivision (d) of Section 95024, resources shall be made available by the lead agency or the agency's contractor or both to families with information on the following areas:



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- (a) The difference between Part B and Part C services.
- (b) Information about local Part B programs and other services in a family's community.
- (c) Options for services for families after their child reaches three years of age.
- (d) An overview of the process and timelines for a child's transition at three years of age.

95013.3. It is the regional center's responsibility to do both of the following:

(a) Assess a toddler who qualifies for early intervention services from the regional center pursuant to subparagraph (B) of paragraph (3) of subdivision (a) of Section 4512 of the Welfare and Institutions Code.

(b) Refer a toddler transitioning out of Part C services to a California state preschool program, as defined in Section 8207 of the Education Code, and who may be eligible for a program pursuant to Section 8208 of the Education Code.

SEC. 5. Section 95024 of the Government Code is amended to read:

95024. (a) Any increased cost to local educational agencies due to the implementation of this title shall be funded from the Part C federal funds provided for the purposes of this title.

(b) Any increased costs to regional centers due to the implementation of this title shall be funded from the Part C federal funds provided for the purposes of this title.

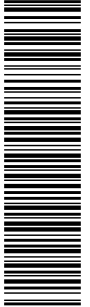
(c) The annual Budget Act shall specify the amount of federal Part C funds allocated for local assistance and for state operations individually, for the State Department of Developmental Services, and for the State Department of Education.

(d) If federal funds are available after mandatory components and increased costs in subdivisions (a) and (b), if any, are funded, the lead agency, in consultation with the State Department of Education, may do the following:

(1) Designate local interagency coordination areas throughout the state and allocate available Part C federal funds to fund interagency coordination activities, including, but not limited to, outreach and public awareness, and interagency approaches to service planning and delivery. If the lead agency chooses to designate and fund local interagency coordination areas, the lead agency shall first offer to enter into a contract with the regional center or a local educational agency. If the regional center or any of the local educational agencies do not accept the offer, the lead agency, in consultation with the State Department of Education and the approval of the regional center and local educational agencies in the area, directly may enter into a contract with a private, nonprofit organization. Nothing in this section shall preclude a regional center or local educational agency that enters into a contract with the lead agency from subcontracting with a private, nonprofit organization.

(2) Allocate funds to support family resource services, including, but not limited to, parent-to-parent support, information dissemination and referral, public awareness, family-professional collaboration activities, and transition assistance for families. ~~In providing these services, resources shall be made available to families with information on the following areas:~~

- ~~(A) The difference between Part B and Part C services.~~
- ~~(B) Information about local Part B programs and other services in a family's community.~~
- ~~(C) Options for services for families after their child reaches three years of age.~~



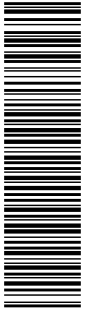
~~(D) An overview of the process and timelines for a child's transition at three years of age.~~

(e) If an expenditure plan is developed under subdivision (d), the lead agency, in consultation with the State Department of Education, shall give high priority to funding family resource services.

(f) Nothing in this section shall be construed to limit the lead agency's authority, in consultation with the State Department of Education, to allocate discretionary Part C federal funds for any legitimate purpose consistent with the statutes and regulations under Part C (20 U.S.C. Secs. 1431 to 1444, inclusive) and this title.

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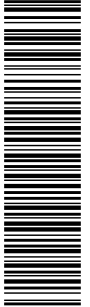
Bill No.
as introduced, _____.
General Subject: Developmental services.

Existing federal law, known as Part C of the Individuals with Disabilities Education Act, generally provides funding for states for the purpose of operating a comprehensive statewide program of early intervention services for infants and toddlers with disabilities, from birth through 2 years of age, and their families. Part B of that federal act generally provides funding to states to provide public education available to children with disabilities from 3 to 5 years of age, inclusive.

Existing state law, the California Early Intervention Services Act, provides a statewide system of coordinated, comprehensive, family-centered, multidisciplinary, and interagency programs that are responsible for providing appropriate early intervention services and supports to all eligible infants and toddlers and their families. Existing law requires the State Department of Developmental Services (department), in collaboration with the State Department of Education, to plan, develop, implement, and monitor the statewide system of early intervention services, as specified. Existing law requires the department to serve as the lead agency responsible for the administration and coordination of the statewide system and makes the department responsible for various duties, as specified. Existing law requires the State Department of Education to be responsible for administering services and programs for infants with solely visual, hearing, and severe orthopedic impairments, as specified.

Under existing law, direct services for eligible infants and toddlers and their families are provided by regional centers and local educational agencies. Existing law requires the department and the State Department of Education to require regional centers and local educational agencies to designate a main point of contact for coordinating and completing the transition of child and family from Part C to Part B of the Individuals with Disabilities Education Act, as specified. Existing law authorizes the department, in consultation with the State Department of Education, to allocate funds to support family resource services, including, but not limited to, parent-to-parent support, information dissemination and referral, public awareness, family-professional collaboration activities, and transition assistance for families.

This bill would require the State Department of Education to enter into an interagency agreement with the State Department of Developmental Services to facilitate a seamless transition between services in Part C and under Part B of the federal Individuals with Disabilities Education Act. The bill would revise and recast related provisions regarding local educational agencies and regional centers. The bill would authorize the department to issue directives to local educational agencies and regional centers until regulations are adopted and would require the directives to be issued no later than June 30, 2029. The bill would require regional centers to assess toddlers who qualify for early intervention services and are transitioning to or may be eligible for a state preschool program, as specified.



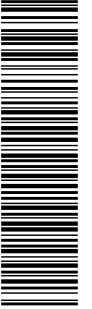
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Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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