

# SB 884 (Beall) – FACT SHEET

## Special Education Transparency and Accountability Reform

### **BACKGROUND**

Studies emphasize access to mental health services is crucial to a special education student's academic success. Over 700,000 school-aged children in California have a need for mental health services but not all are receiving those services. I

In 1984, AB 3632 was implemented to require county mental health agencies to provide mental health services to students with disabilities. In 2011, AB 114 removed the mandate due to budget cuts and designated school districts the responsibility for ensuring students receive the mental health services necessary to benefit from a special education program. Due to this shift, it is unknown how many students are being served under AB 114 because the legislation did not require school districts to provide sufficient data on student outcomes and how funding is being spent.

To evaluate the transition's effectiveness, several legislators asked the Joint Legislative Audit Committee to investigate whether students are receiving the necessary services they need. The committee unanimously approved the audit request. Earlier this year, the California State Auditor issued its report based on four Special Education Local Plan Areas (SELPAS) that were evaluated, examining their use of mental health funds, student performance outcomes, and whether they provided mental health services to students as required by federal and state law.

### **PROBLEM**

The audit determined that school districts do not track educational outcomes for students who receive mental health services, therefore not knowing whether AB 114 made an impact to benefit the student's educational progress.

Federal and state law requires local education agencies (LEA) to give prior written notice to a parent or guardian whenever there is a proposal to change a provision of their child's Individual Education Plan (IEP). Approximately 40 percent of the student IEPs analyzed showed there was no documentation on the reason why a mental health service was removed. In addition, none of the

evaluated LEAs tracked the total cost of providing mental health services through IEPs and it is unclear what the exact cost of the service was and who provided the service.

### **THIS BILL**

SB 884 addresses the lack of transparency and accountability in school districts. The bill's ultimate goal is to increase the system's responsiveness to students and increase access to much-needed services. This bill provides fiscal transparency of mental health funds by requiring an annual audit of LEAs to determine whether the funds were used for its intended purpose. The data will be available through the State Controller's website.

This bill will also require the Department of Education to create a report on student outcome data with information provided by LEAs; such as graduation, suspension and expulsion rates, etc., for children with a mental health service component in their IEP.

By providing statewide transparency of mental health funding, student outcome data, and information support to parents/guardians, California can ensure that its most vulnerable children in public schools are receiving the adequate care and services they need.

### **SPONSOR**

California Council of Community Behavioral Health Agencies

### **SUPPORT**

Attorney General Kamala D. Harris  
California Alliance of Child and Family Services  
California Association of Marriage and Family Therapists  
California Parent Teacher Association  
Community Health Partnership  
California Youth Empowerment Network  
The Steinberg Institute  
NAMI California  
Western Center on Law and Poverty

### **FOR MORE INFORMATION**

**Staff Contact:**

Anna Alvarado (916) 651-4015 [Anna.Alvarado@sen.ca.gov](mailto:Anna.Alvarado@sen.ca.gov)