



May 8, 2007

The Honorable Sally Lieber  
California State Assembly  
State Capitol, Room 3013  
Sacramento, California 95814

**AB 1659: OPPOSE**  
**Assembly Appropriations**  
**Committee**

Dear Assembly Member Lieber:

The California Association of School Psychologist (CASP) has reviewed your AB 1659 and must respectfully take a position of opposition to the bill. CASP is a statewide association that represents over 3,000 school psychologists working in California public, private, and charter schools. School psychologists are mental health professionals who have specialized training in both psychology and education. They use their training and skills to team with educators, parents, and other mental health professionals to ensure that every child overcomes barriers and learns in a safe, healthy and supportive environment.

AB 1659 would make a number of changes to the current special education requirements for local school districts. Specifically, the bill requires greater notification to parents if services to students with special needs if at least 25% of those services are not performed, requires greater written notice to parents of assessment of students, and modifies the current due process hearing procedures.

CASP opposes this bill for several reasons. First, the requirements added to the Education Code by AB 1659 would add significant new mandated requirements to local school districts. As an example, the bill requires school districts to provide expanded written notice to parents upon initial referral for assessment and when the school district proposes to initiate or change services for a special needs student.

More specifically, the bill would require school district personnel to: 1) explain why certain assessments are necessary to determine eligibility for services; 2) explain why services are granted or rejected with a description of each evaluation procedure, assessment or the report the agency used as a basis for the proposed or refused action; and, 3) provide translation of services in the parent's native language. CASP believes that communication with parents is critical but believes that notifications required under current law meet the requirements of IDEA and that the additional requirements imposed by AB 1659 will add significant expense and additional workload requirements to the special education personnel. CASP believes that these additional reporting requirements would take away from the direct services these professionals currently provide to special needs students.

Secondly, the bill requires that school districts maintain service logs of the support services provided to students with special needs. If 25 percent or more of these required services during any one month, even if it is the result of a pupil's medical condition or disability, then the district shall ensure that the missed services shall be made up at another time.

CASP is concerned that this requirement may be both unrealistic and unworkable. As school psychologists we use our training and skills to team with educators, parents, and other mental health professionals to ensure that every child overcomes barriers and learns in a safe, healthy and supportive environment. We are often involved with recommending additional support services for special needs students in order to meet their educational goals. Unfortunately, there is a severe shortage of speech, occupational and physical therapist, forcing districts to maintain additional work logs will worsen the shortage and have a greater negative impact on kids. Most of our in-house support services have workloads that have very little or no slots for missed sessions.

This new make-up session requirement could also lead to legal liability if, for no fault of the district, these services are not made up.

Finally, this bill makes a number of changes to the due process hearing requirements. CASP believes that the current fair hearing processes that have been conducted by the Office of Administrative Hearings (OAH) have successfully met the needs of both parties. We believe that if changes are to be made to the current procedures it should be done only after a thorough and independent review of the OAH operation and hearing procedures.

Again CASP must respectfully oppose AB 1659.

Sincerely,

A handwritten signature in cursive script, appearing to read 'S. Fisher'.

Suzanne Fisher  
Executive Director

cc: Assembly Appropriations Committee Members  
Kimberly Rodriquez, Consultant, Assembly Appropriations