
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No:	AB 1284	Hearing Date:	June 7, 2017
Author:	Calderon		
Version:	March 21, 2017		
Urgency:	No	Fiscal:	No
Consultant:	Lynn Lorber		

Subject: Postsecondary education: students with disabilities

SUMMARY

This bill makes numerous changes to references in the Education Code to use "people first" language, such as changing "disabled students" to "students with disabilities."

BACKGROUND

Existing law provides for various programs and services for postsecondary education students with disabilities. (Education Code § 66025.91, 66450, 67300, 67310, 67311, 67312, 67313, 78212, 78230, 78907, 84750.5, 84850, 87003, 87356, 89037, 99156)

ANALYSIS

This bill makes numerous changes to references in the Education Code to use "people first" language.

- 1) Strikes "disabled students" and replaces it with "students with disabilities."
- 2) Strikes "blind students" and replaces it with "students who are blind."
- 3) Strikes "deaf and hard-of-hearing students" and replaces it with "students who are deaf or hard-of-hearing."
- 4) Strikes "state-funded disabled student programs and services" and replaces it with "state-funded programs and services for students with disabilities."
- 5) Strikes "disabled student services" and replaces it with "services for students with disabilities."
- 6) Strikes "Handicapped Students" and replaces it with "Students with Disabilities."
- 7) Strikes "nondisabled students" and replaces it with "students without disabilities."
- 8) States legislative findings and declarations relative to the use of people first language to help eliminate generalizations and stereotypes by focusing on and acknowledging the person rather than the disability.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “People with disabilities constitute the largest minority population in the United States. According to the National Center for Educational Statistics, 11% of undergraduates reported having a disability in 2011. Current language in the California Post-Secondary Education code is derogatory towards people who are disabled. Students with disabilities or students with specific differences (hearing, sight) are inaccurately referred to as ‘disabled students’ or ‘deaf students.’ Current law disenfranchises students with disabilities. The terms the Legislature uses to address people is a powerful signal to society about the values of the State of California.”
- 2) ***People First Language.*** According to The Arc, “People with disabilities are – first and foremost – people who have individual abilities, interests and needs. The language a society uses to refer to persons with disabilities shapes its beliefs and ideas about them. Words are powerful; old, inaccurate, and inappropriate descriptors perpetuate negative stereotypes and attitudinal barriers. When we describe people by their labels of medical diagnoses, we devalue and disrespect them as individuals. In contrast, using thoughtful terminology can foster positive attitudes about persons with disabilities. One of the major improvements in communicating with and about people with disabilities is “People-First Language.” People-First Language emphasizes the person, not the disability. By placing the person first, the disability is no longer the primary, defining characteristic of an individual, but one of several aspects of the whole person. People-First Language is an objective way of acknowledging, communicating, and reporting on disabilities. It eliminates generalizations and stereotypes, by focusing on the person rather than the disability.”
- 3) ***Efforts to use People First Language.*** Members of the Advisory Commission on Special Education received orientation and information on the use of People First Language at their August 13, 2014 meeting.

The California Strategic Plan on Reducing Mental Health Stigma and Discrimination was adopted by the Mental Health Services Oversight and Accountability Commission on June 25, 2009. This plan supports the use of non-stigmatizing terms, such as People First Language.

Several areas of State statutes have been amended in recent years to update terminology, using People First Language (see Comment # 5).

- 4) ***Technical amendment.*** Delete reference to “handicaps” on page 28, line 6, of the bill.
 - (i) A description of all special services that will be provided at the location of the test administration to accommodate test subjects who have ~~handicaps~~ or disabilities.
- 5) ***Prior legislation.*** ACR 60 (Santiago, Resolution Chapter 116, 2015) resolves that the Legislature affirms that state policies and procedures should use People First Language to the greatest extent possible.

AB 1847 (Chesbro, Ch. 144, 2014) among other things, changed references from “incompetent person” to “person lacking legal capacity to make decisions,” and from “the mentally ill, mentally defective or epileptic” to “persons with developmental disabilities or mental health disorders.”

SB 364 (Steinberg, Ch. 567, 2013) among other things, changed references from “mentally disordered persons” to “persons with mental health disorders,” and from “developmentally disabled persons” to “persons with developmental disabilities.”

SB 1381 (Pavley, Ch. 457, 2012) among other things, changed references from “mentally retarded persons” to “persons with intellectual disabilities.”

AB 2662 (Committee on Education, Ch. 589, 2012) among other things, changed references from “mentally retarded pupils” to “pupils with intellectual disabilities.”

SUPPORT

None received

OPPOSITION

None received

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