

Summarizing 'The Impact of Implementing AB 705 on Students with Specific Disabilities:  
Opportunity or Barrier?'

This independent position paper relates to the impact of AB 705 and the effects of AB 19, AB2 (pending) and the new California Community Colleges (CCC) funding formula on educational opportunity for individual students with specific disabilities.

**Background.** AB 705 requires that California colleges maximize the probability that a student will enter and complete transfer-level coursework in English and math within a one-year timeframe and use, in the placement of students into English and math courses, one or more of the following: high school coursework, high school grades, high school GPA, or self-report if transcripts are not available.

Placement into remedial classes have typically been done through college placement tests, which can present a culturally biased problem and/or test anxiety interference problem even if attempts are made to mitigate these interfering factors. The intention of all the bills - AB 705, the new CCC Funding Formula which rewards colleges for maximizing the probability of students entering and completing transfer level course work, AB 19 which gives a full-time student free 1<sup>st</sup> year tuition, and the pending AB 2 which seeks to extend that free tuition to the 2<sup>nd</sup> year - is to provide a quicker, more reasonable pathway toward the students' academic goals, increasing student success and the overall graduation rates of our colleges.

The research supporting AB 705 examined relevant student data on 250,000 students provided by the California Community Colleges Chancellor's Office (CCCCO) for the years 2007 through 2014. The research concludes that while **variations occurred within the DSPS population**, generally DSPS students put directly into transfer-level courses completed those courses at a statistically significant higher rate than those placed one level below.

**Problem.** The above new arrangement is could well be laudable for many students for reasons stated above. However, AB 705's supporting research design does not note how the DSPS population was identified or whether they received service or not from DSPS, **and most importantly, the research does not address students with specific disabilities that directly or indirectly affect cognitive and/or sensory ability, because it did not disaggregate the DSPS students into specific disabilities.** This is because, even though these students with specific disabilities are enrolling at relatively increasing rates in community college, their numbers are still considered to be too low in number for the study's research design to yield valid results. **In fact, the research team calls all such students, no matter what the disability, simply 'DSPS students'. However, there is no such overarching specific disability entitled 'DSPS Students'. Even if the general population's name were changed to 'Students with Disabilities', it is still a name given to a general population not statistically related to any sub-category of disability.** Yet in our colleges there are students with diverse disabilities with various functional and educational challenges, some with fluid and volatile cognitive swings (e.g. LD, Head Trauma, ADHD, Epilepsy, etc.), others with no cognitive or sensory limitations at all (e.g. amputated limb), and some with a combination of both. **The research design does not address any one of them. Thus the validity problem.** These problematic facts have not been effectively thought

through. Instead the above mentioned bills and CCC's new funding formula strongly encourage colleges and college districts to proceed quickly to place the students in transfer classes, using high school course work, and/or grades, and/or GPA, or self-report if transcripts are not available. **However, these sources of placement too are another problem in that they are known to be unreliable statewide when dealing with students with disabilities. In this context, there is a lack of statewide, uniform synchronicity between a particular high school's course content and the local college course content in math and English, due often to high school modified instructional content, all resulting in the study's reliability problem across statewide College District areas.** Exasperating this, the CCCCO gives very little guidance in AB 705's implementation, leaving the colleges to do as they see fit. **The crux of the main problem is this. With this lack of guidance coupled with the funding incentives mentioned above and more being proposed, colleges are being pushed to rid themselves of all remedial classes taken before the transfer class without noting the problems mentioned immediately above. Also not noted is that the carefully selected Remedial class, simulating the targeted Transfer class closely, provides DSPS with the optimal learning environment to utilize the methodology of developing effective, unique, and relevant learning strategies for individuals with these certain sub-categories of disability, all in real time and all described in detail in this position paper (Position Paper, pages 3 & 4).** In addition, as also detailed in the paper (Pos. Paper, 'Special Note', pg. 4, 1<sup>st</sup> Paragraph, lines 20-23), because of the methodology of the remedial classes' tight coordination with DSPS staff and the classes' tight coordination with the content of the college's transfer class, off-sourcing the remedial class to Continuing Education and other off-campus educational entities is rarely conducive.

Thus at many colleges now, the above mentioned students are unable to adequately access needed remedial classes because: 1) there are so few left; or 2) the student has technically qualified for transfer level classes in English and math and is not permitted to access them; or 3, the remedial classes have been completely eliminated. **In these instances, AB 705's laudable intent to create equity among students produces the opposite effect – inequitable access for certain students with specific disabilities.** A court of law, hearing a complaint from such a student who had been refused a necessary remedial class, would ask how the study's general data on 'DSPS Students' would validly and reliably relate to the particular complaining student's specific disability with its unique functional limitations. **The study has no real answer for this question because of the above mentioned validity and reliability problems when it comes to the sub categories of specific students with specific disabilities described herein.** Local colleges' limited research, again detailed in the paper, cannot correct this. Some have tried, but either present no hard data, or too low a sample, or an unexamined research design, or it makes no adjustment for issues raised in this paper, or any combination of the above (Pos. Paper, pg. 5 bottom Paragraph & pg. 6 top Paragraph). It is a statewide problem needing a statewide resolution.

**Proposed Resolution.** This paper's modest resolution to all the above is that the CCCCO give written guidance to all California Community Colleges to the effect **that students with cognitive processing or sensory processing disabilities described herein be able to access appropriate remedial classes at least one semester before, and in cases of those disabilities**

**being severe, at least two semesters before their transfer level classes, even though they otherwise qualify to enroll in those transfer classes; and that these same students be able to access concurrent, embedded support classes while enrolled in those transfer classes. If this cannot be done, then a legislative Amendment to AB 705 should be sought.** As stated by AB 705's research team, student numbers in these sub categories are so low that they cannot be validly measured. Thus it follows that allowing such few numbers to take these needed remedial classes at our colleges **would not slow the overall acceleration rate of the colleges' transfer course completion. the resolution is also in line with the California Code of Regulations, Section 55526 a**, which reads in part: - "Student Success and Support Program services for students with disabilities shall be appropriate to their needs, and colleges shall, where necessary, make. . .use of alternative tests, methods, or procedures to accommodate the needs of such students. . ." **The resolution is also in line with Connecticut's Senate Bill 40 (SB40), a bill similar to AB 705, particularly SB 40's Amendment recognizing the importance of non-embedded Remedial Classes.**

DSPS's main task is to provide its students with equal access in all postsecondary educational environments. In that same process, DSPS simultaneously keeps colleges from losing money to successful disability rights complaints related to Section 504 of the National Rehabilitation Act and the ADA settled in the courtroom. Thus it is a win for everyone to provide certain students with specific disabilities mentioned herein, who are otherwise capable, with a clear and hopeful pathway to a degree through the types of remedial and support classes mentioned in this paper, classes which create an optimal learning environment for the development of well-crafted reasonable accommodations most useful in their transfer class. As such, these classes themselves become an integral part of the reasonable accommodation process.