



April 19, 2017

Our Ask: We ask that you do not co author SB 18 OR SCR 41

We further ask that you vote NO on SB 18 AND SCR 41.

SB 18 was amended on Monday April 3, 2017. SB 18 is now a bill that creates a joint committee of senators and assembly members. *The bill would create, until November 30, 2024, the Joint Legislative Committee on Children and Youth, with 18 members appointed by the Senate Committee on Rules and the Speaker of the Assembly, as specified. The bill would require the committee to develop “California’s Promise to its Children and Youth,” a framework for the care and welfare of children and youth in various contexts, including, but not limited to, health care, nutrition, homeless assistance, education, and foster care, as specified. The bill would require the committee to consider an unspecified **Senate Concurrent Resolution (we now know it is SCR 41), the Bill of Rights for the Children and Youth of California**, if it is enacted and takes effect on or before January 1, 2018, for purposes of developing the framework.*

*(2) The committee shall consider **Senate Concurrent Resolution No. (we now know it is SCR 41), the Bill of Rights for the Children and Youth of California**, if it is enacted and takes effect on or before January 1, 2018, for purposes of developing the framework described in paragraph (1).*

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB18

SB 18 highlights who the committee will reach out to and consult in developing the framework for California’s Children and Youth. Missing from this list of various special interests is any regard for the **FAMILY** and **PARENTS**.

*(b) By November 30, 2020, in consultation with **medical organizations** involved in child health care, **educational organizations and institutions, organizations in child development and welfare, and applicable state agencies and commissions**, the committee shall develop a plan to implement the framework by January 1, 2024.*

*(c) By November 30, 2020, in consultation with **experts and organizations in tax reform, academia, research institutes, business, labor, local government, the Franchise Tax Board, the State Board of Equalization, and applicable state agencies and commissions**, the committee shall identify and propose comprehensive tax reform solutions to increase revenue predictability and ensure sufficiency of revenues adequate to support the implementation of the framework, for presentation to the Legislature and, if necessary, to the voters of California.*

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The language that was previously introduced as the Bill of Rights for the Children and Youth of California was seven sections of vague open ended wording. This wording was already troublesome. The LA Times editorial board agreed and wrote a piece on it titled “A lofty—and troubling—proposed bill of rights for California kids” on February 7, 2017. The draft given to us on March 13 went into greater detail for each of the seven sections and this language was even more troubling. SB 18 was amended and became a committee bill that tied a concurrent resolution at the time of unknown name and unknown bill number. The draft given to us on March 13 is now the concurrent resolution introduced in the evening on 4/18/2017, SCR 41 titled the Bill of Rights for the Children and Youth of California. This language for SCR 41 can be found here http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SCR41

Educate. Advocate. serves families with special needs children. These items listed below are particularly troubling for the families we serve. This is not at all an exhaustive list of the numerous problems of SB 18 and SCR 41.

(1) (I) Remaining with a parent, legal guardian, or caregiver, **except when authorities determine separation is in the best interest of the child.**

What authorities? Who decides?

(3) (F) Having parents, **elected officials, and other adults** consider the effect that decisionmaking will have on a child’s care and **community.**

Why are elected officials or other adults making decisions about a child’s care? Adding the word community there at the end is troubling.

(5) (B) Access to the educational services and supports necessary to support and accommodate the child’s individual abilities and needs in the **most inclusive environment possible, regardless of a student’s level of need or ability.**

Inclusion is wonderful. But children are not one-size-fits-all. For some children, inclusion doesn’t work for them and they need more intensive and an individualized education. After all, that is why they have an IEP, INDIVIDUALIZED Education Program.

(7) (A) (vi) Other necessary health care, diagnostic services, treatment, and other measures, including medical or remedial services, provided in a facility, a home, or other setting, **recommended by a physician or other licensed practitioner of the healing arts within the scope of his or her practice under state law, for the maximum reduction of physical or mental disability, to correct or ameliorate**

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defects and physical and mental illnesses and conditions discovered by the screening services described in this paragraph to support an individual in **achieving his or her best possible functional level.**

To put this right into perspective if a child has a physician recommending medication to ameliorate the condition of say ADD or attention deficit disorder and the parent wishes to use more natural medicine rather than pharmaceutical medication that parent would be violating the rights of their child.

(7) (A) (vii) The screenings and services described in this paragraph in a **public preschool, or K–12 school setting**, with the consent of a parent or guardian, to the extent that the **child’s local education agency employs or contracts with a** physician or other licensed practitioner of the healing arts within the scope of his or her practice under state law to provide the screenings and services.

This gives the power of the child to the school district. This could easily be abused if a parent wants their child in an educational setting that is different than what the school district wants and there is a power struggle there the authority would easily lie with the school district rather than the parent. For these reasons and many more we once again ask that you:

- 1) Do not co author SB 18 OR SCR 41
- 2) Vote NO on SB 18 AND SCR 41.