



April 25, 2011

Honorable Sam Blakeslee  
California State Senate  
Capitol Building, Room 4070  
Sacramento, CA 95814

Re: SB 462 (Blakeslee) Statement of Opposition

Dear Senator Blakeslee:

Disability Rights Education and Defense Fund (DREDF) opposes SB 462. DREDF is a national disability civil rights law and policy center directed by individuals with disabilities and parents who have children with disabilities. Our mission is to advance the civil and human rights of people with disabilities through legal advocacy, training, education, and public policy and legislative development.

SB 462 proposes a voluntary certification process for non-attorney, paid or unpaid special education advocates who want to participate in IEPs or mediations. The bill would require special education local plan areas to provide alternative dispute resolution training, and the Office of Administrative Hearings to administer a test, to persons seeking certification. The bill would require a fee for the training and testing, and would also require advocates to disclose detailed information about their advocacy, areas of expertise, as well as personal relationship with the parent or child.

DREDF opposes SB 462 because it would mislead parents into believing only “certified” advocates have the qualifications to assist in mediations or at IEPs. The requirement that the Office of Administrative Hearing post a registry of “certified” advocates would reinforce this misinformation. We are also concerned that the development of training and testing, and the listing of “certified” advocates, by SELPAs and OAH, ignores the important role and expertise that Parent Training and Information Centers, Family Empowerment Centers, Disability Rights California and Community Parent Resource Centers have in special education advocacy. The bill fails to state that SELPAs and LEAs already have (but largely ignore) a responsibility and the means to refer parents to trained and qualified advocates at these agencies. The legislation favors local education agencies in an already unbalanced system.

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For these reasons, we oppose this bill. Please contact me if you have any questions about DREDF's position on SB 462.

Sincerely yours,

A handwritten signature in blue ink that reads "Susan R. Henderson" followed by a horizontal line.

Susan Henderson  
Executive Director

cc: Honorable Chair and Members of the Senate Education Committee  
Senator Loni Hancock  
Lynn Lorber, Principal Consultant, Senate Education Committee