**UPDATED INFORMATIVE DIGEST**

**(Government Code section 11346.9(b))**

In Sections 7014.1(a)(6) and 7149(c) and (d), DOR has changed the words “designated state unit” to “Department”. While the federal regulations use the term “designated state unit”, DOR is adopting regulations for its program, and it is consistent with DOR’s other regulations and clearer to the public if “Department” is used rather than “designated state unit.” This is a non-substantive change.

Section 7026.5, regarding a student with a disability, now mirrors state statutory language used in the California Education Code section 56026, but DOR also added policy language mirroring the federal definition of student with a disability in 34 C.F.R. 361.5(c)(51).

It is also important to note that in response to a comment received during the 45-day public comment period (identified as comment 4 below) about difficulty following the regulation with state age requirements from the California Education Code, specifically Section 7026.5(a)(2)(A), (B), and (C), DOR modified the text originally noticed to the public. A 15-day comment period relating to the modification was noticed. However, DOR has since determined that the modification not only changed the text but the meaning of the provision so that it was no longer consistent with the California Education Code. Consequently, in the final text of the regulations, DOR has reverted to the text originally noticed to the public in Section 7026.5(a)(2)(A), (B), and (C).

The DOR has changed the wording of the supported employment definition in Section 7028 to exactly match the applicable federal language in 34 C.F.R. 361.5(c)(54).

In Section 7053(e), DOR has changed the phrase “Order of Selection Declaration” to “declaration of Order of Selection” for consistency with existing Section 7052 and 7053.5(e), which states “The Director shall make a declaration of any change in priority categories”. This change also makes the regulation clearer to the reader. This is a non-substantive change.

In the definition of trial work experiences, Section 7029.1, DOR had the subject of the definition in its singular form. The DOR changed it to the plural form in the title as well as throughout the definition, also adding any language necessary to make the definition the same as the federal definition found in 34 C.F.R. 361.42(e).

There were amendments in Section 7028 (a) and 7028 (a)(1).

There were also changes made in Section 7029.1(a) and 7029.1(b).

In Section 7060, on eligibility, DOR added the word “sex” to accompany “gender” since “sex” is the term used in 34 C.F.R. 361.42(c)(2)(ii)(A).

In Section 7129, DOR added the wording “benefit planning” to be consistent with federal law and regulations in 29 U.S.C. 722(b)(2) and 34 C.F.R. 361.45(c)(3).

Changes to Section 7129(a)(2)(D) have also been made for clarity because of an inadvertent clerical error.

The DOR added “informed choice” to the primary employment factors in Section 7130(a)(2), which is consistent with the federal regulation.

Finally, language from 34 C.F.R. 361.48 was added to Section 7151 to make it more like the federal regulations.

Other grammatical and formatting changes were made to the final text that were non-substantive. There was a change in 7179(b) cross-referencing to Section 7030 which was corrected to accurately cross-reference to 7029.4.

There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Regulatory Action.