



## AB-611 Special education: nonpublic, nonsectarian schools or agencies: change in certification status: |

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### Assembly Bill No. 611

#### CHAPTER 64

An act to add Section 56366.45 to the Education Code, relating to special education.

[ Approved by Governor July 13, 2023. Filed with Secretary of State July 13, 2023. ]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 611, Weber. Special education: nonpublic, nonsectarian schools or agencies: change in certification status: parental notification.

Existing law sets forth a method for providing special education and related services to pupils with exceptional needs. Existing law permits, under certain circumstances, contracts to be entered into for the provision of those services by nonpublic, nonsectarian schools or agencies, as defined. Existing law authorizes a master contract for special education and related services provided by a nonpublic, nonsectarian school or agency only if the school or agency has been certified by the Superintendent of Public Instruction as meeting specified standards. Existing law authorizes the Superintendent to revoke or suspend the certification of a nonpublic, nonsectarian school or agency for specified reasons and requires the Superintendent to notify contracting local educational agencies and the special education local plan area in which the nonpublic, nonsectarian school or agency is located of the determination to suspend or revoke state certification.

This bill would require a contracting local educational agency and charter school, within 14 days of becoming aware of any change to the certification status of a nonpublic, nonsectarian school or agency, as provided, to notify parents, as defined, of pupils of the local educational agency or charter school who attend the nonpublic, nonsectarian school or agency of the change in certification status, as specified, and to include in that notice, a copy of certain procedural safeguards. The bill would require those notices to be maintained and made available for inspection upon request of the State Department of Education.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

#### THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 56366.45 is added to the Education Code, immediately following Section 56366.4, to read:

**56366.45.** (a) (1) A contracting local educational agency and a charter school shall, within 14 days of becoming aware of any change to the certification status of a nonpublic, nonsectarian school or agency, notify parents of pupils of the local educational agency or charter school who attend the nonpublic, nonsectarian school or agency through email or regular mail notice of the change in certification status and include a copy of the procedural safeguards as specified in Chapter 5 (commencing with Section 56500).

(2) The contracting local educational agency or charter school shall maintain a record of the notice given pursuant to paragraph (1) and shall make this notice available for inspection upon request of the department.

(b) For purposes of this section, becoming aware of any change in certification status may include, but is not limited to, receiving notification pursuant to subdivision (c) of Section 56366.4 of a determination to suspend or revoke the certification of the nonpublic, nonsectarian school or agency, including, but not limited to, a determination resulting from a department investigation into pupil restraint or seclusion.

(c) For purposes of this section, "parent" has the same meaning as defined in Section 56028.