

AMENDED IN ASSEMBLY MAY 12, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1649

Introduced by Assembly Member Simitian

February 21, 2003

An act to add Section 48207.5 to the Education Code, relating to pupil attendance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1649, as amended, Simitian. Pupil attendance: residency requirements.

Existing law requires a pupil to attend the public full-time day school or continuation school or classes in the school district in which the residency of the pupil's parent or guardian is located. Existing law provides an exception to this requirement for a pupil with a temporary disability who is in a hospital or other residential health facility, excluding a state hospital, located outside of the school district in which the pupil's parent or guardian resides by deeming these pupils to have complied with the residency requirements of the school district in which the hospital is located.

This bill would, in contrast, provide that a pupil *with a temporary disability who also requires special education instruction and* who is in a skilled nursing facility located outside of the school district in which his or her parent or guardian resides has not met the residency requirements for the school district in which the skilled nursing facility is located.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 48207.5 is added to the Education Code,
2 to read:
3 48207.5. Notwithstanding Section 48207, a pupil with a
4 temporary disability who *also requires special education*
5 *instruction pursuant to Part 30 (commencing with Section 56000)*
6 *and* is in a skilled nursing facility, as defined in subdivision (c) of
7 Section 1250 of the Health and Safety Code, that is located outside
8 of the school district in which the pupil's parent or guardian resides
9 may not be deemed to have complied with the residency
10 requirements for school attendance in the school district in which
11 the hospital is located.

