

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1517**

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**Introduced by Assembly Member Bill Berryhill**  
***(Principal coauthor: Assembly Member Buchanan)***

February 27, 2009

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An act to add Section 56510 to the Education Code, relating to special education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1517, as amended, Bill Berryhill. Special education: alternative dispute resolution programs.

Existing law prescribes the procedure for filing a complaint with the State Department of Education to allege a violation of state or federal law regarding the provision of special education instruction and services ~~and~~, for conducting a voluntary prehearing mediation conference, and *for conducting* a due process hearing to resolve the dispute. Existing law declares the intent of the Legislature that parties to special education disputes be encouraged to seek resolution through mediation prior to filing a request for a due process hearing.

This bill, subject to an appropriation in the annual Budget Act or other statute, would require the department to establish and administer a statewide program of grant funding to establish alternative dispute resolution programs for special education that include specified components.

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

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

1 SECTION 1. It is the intent of the Legislature in enacting this  
2 act to do all of the following:

3 (a) Establish new options for alternative dispute resolution at  
4 the local level through coordination by the system of special  
5 education local plan areas (SELPA) or *the* collaboration of  
6 multiple SELPAs.

7 (b) Ensure that the new options for alternative dispute resolution  
8 do not interfere with the right of a parent; under state and federal  
9 law; to pursue other options at the state level, but work in  
10 conjunction with those other options to provide a greater variety  
11 of options to the parent.

12 (c) Establish a program with funding to support the development  
13 and implementation of alternative dispute resolution in each  
14 SELPA throughout the state.

15 (d) Establish a mentorship program to help guide SELPAs in  
16 implementing new alternative dispute resolution programs.

17 SEC. 2. Section 56510 is added to the Education Code, to read:  
18 56510. Subject to an appropriation in the annual Budget Act  
19 or other statute, the department shall establish and administer a  
20 statewide program of grant funding to establish alternative dispute  
21 resolution programs for special education that include all of the  
22 following:

23 (a) An advisory board that includes representatives from local  
24 alternative dispute resolution programs to ensure ongoing  
25 communication.

26 (b) An annual statewide conference for all *of the* implementers  
27 of alternative dispute resolution programs.

28 (c) Criteria for awarding grants, funding, data collection, and  
29 evaluating alternative dispute resolution programs.

30 (d) The selection of recipients and allocation of funding.

31 (e) The selection of individuals to serve as mentors to support  
32 implementers.

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