

AMENDED IN SENATE APRIL 10, 2012

SENATE BILL

No. 1137

Introduced by Senator Huff

February 21, 2012

An act to amend Section 33195 of the Education Code, relating to heritage schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 1137, as amended, Huff. Heritage schools: electronic registration form.

Existing law requires every person, firm, association, partnership, or corporation operating a heritage school, as defined, to annually file an electronic registration form, under penalty of perjury, with the Superintendent of Public Instruction that includes, among other things, the address, including city and street, of every place of doing business of the person, firm, association, partnership, or corporation within the state. Existing law authorizes, whenever 2 or more heritage schools are under the effective control or supervision of a single administrative unit, the filing of one electronic registration form by the administrative unit on behalf of each of the schools under its control or supervision.

This bill would instead require the electronic registration form to include the address, including city and street, of the location at which the heritage school delivers services to pupils. The bill would also require the electronic registration form to include an acknowledgment that the director of a heritage school and all employees ~~will be~~ *are* mandated reporters and ~~comply in full with all applicable~~ *subject to the* requirements established by the Child Abuse and Neglect Reporting Act, *and certification that (1) the employer is aware that it is encouraged to provide its employees with training in the duties imposed*

by the Child Abuse and Neglect Reporting Act, (2) employees have signed a statement provided by the employer that the employees have knowledge of the act and will comply with its provisions, and (3) employees have been notified by the employer of their reporting obligations and confidentiality rights pursuant to a specified provision. The bill would instead require, if 2 or more heritage schools are under the effective control of a single administrative unit, the administrative unit to submit an electronic registration form on behalf of every heritage school under its effective control or supervision.

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. Section 33195 of the Education Code is amended
2 to read:
3 33195. (a) Every person, firm, association, partnership, or
4 corporation operating a heritage school as defined in Section
5 33195.4 shall, between the 1st and 31st day of January of each
6 year, commencing on January 1, 2011, file with the Superintendent
7 an electronic registration form, under penalty of perjury, by the
8 owner or other head setting forth the following information for the
9 current year:
10 (1) All names, whether real or fictitious, of the person, firm,
11 association, partnership, or corporation under which it has done
12 and is doing business.
13 (2) The address, including city and street, of the location at
14 which the heritage school delivers services to pupils.
15 (3) The names and addresses, including city and street, of the
16 directors, if any, and principal officers of the person, firm,
17 association, partnership, or corporation.
18 (4) The school enrollment, by grade span, number of teachers,
19 and coeducational or enrollment limited to boys or girls.
20 (5) That the following records are maintained at the address
21 stated, and are true and accurate:
22 (A) The courses of study offered by the institution.
23 (B) The names and addresses, including city and street, of its
24 faculty, together with a record of the educational qualifications of
25 each faculty member.

1 (6) Criminal record summary information that has been obtained
2 pursuant to Section 44237.

3 (7) The heritage school telephone number.

4 (8) Acknowledgment that the director of the heritage school
5 and all employees ~~will be~~ *are* mandated reporters and ~~comply with~~
6 ~~all applicable~~ *subject to the* requirements established by the Child
7 Abuse and Neglect Reporting Act (Article 2.5 (commencing with
8 Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal ~~Code~~;
9 *Code*) and, consistent with that act, certification that:

10 (A) *The employer is aware that it is encouraged to provide its*
11 *employees with training in the duties imposed by the act.*

12 (B) *Employees have signed a statement provided by the employer*
13 *that the employees have knowledge of the act and will comply with*
14 *its provisions.*

15 (C) *Employees have been notified by the employer of their*
16 *reporting obligations and confidentiality rights, pursuant to Section*
17 *11165.9 of the Penal Code.*

18 (b) If two or more heritage schools are under the effective
19 control or supervision of a single administrative unit, the
20 administrative unit shall comply with the provisions of this section
21 by submitting an electronic registration form on behalf of every
22 heritage school under its effective control or supervision.

23 (c) Filing pursuant to this section shall not be interpreted to
24 mean, and it shall be unlawful for ~~any~~ *a* school to expressly or
25 impliedly represent, that the State of California, the Superintendent,
26 the state board, the department, or ~~any~~ *a* division or bureau of the
27 department, or ~~any~~ *an* accrediting agency has made ~~any~~ *an*
28 evaluation, recognition, approval, or endorsement of the school or
29 course, unless this is an actual fact.

30 (d) Filing pursuant to this section does not grant a heritage
31 school ~~any~~ *a* right to receive state funding.