

A school district that pays tuition for prekindergarten education under this section shall be responsible for ensuring that the provider receiving the tuition payment is on the list maintained by the Agency of Human Services or the Agency of Education under subdivision (c)(2) of this section, but shall have no responsibility to monitor the administration of prekindergarten educational services on the part of the provider receiving the tuition payment, except for services which the district contracts with the provider in order to fulfill its obligations under the Individuals with Disabilities Education Act (IDEA). A school district paying tuition under this section shall be immune from civil and criminal liability for the acts or omissions of a public or private provider to which the district pays tuition under this section, except for services which the district contracts with the provider in order to fulfill its obligations under the IDEA and except to the extent that it has actual knowledge of a breach by the provider of health or safety rules that apply to the provider's prekindergarten education program.