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New Law May Require Updates to Interdistrict Transfer Policies

School districts might need to review their interdistrict transfer board policies in light of recent changes in the law. On January 1, 2019, Assembly Bill 2826 (“AB 2826”) went into effect, clarifying definitions and timelines in existing law relating to interdistrict transfers. The new law additionally requires school districts to post specific information on their websites. It also places limits on provisional enrollment.

Below are the significant takeaways from AB 2826, which amends Education Code sections 46600 *et seq.*:

Parental Notice Requirements

AB 2826 establishes parental notice requirements and timelines for deciding interdistrict transfer requests. Districts are now required to:

- Notify parents within distinct timelines for current school year and future school year interdistrict transfer requests;
 - For current school year requests, a final decision must be provided to the parents within 30 calendar days from the date of receipt of the request;
 - For future year requests, a final decision is required as soon as possible, but no later than 14 calendar days following the beginning of the school year for which enrollment is sought; and
- Notify the parent in writing of the right to appeal the district’s final decision to the county board of education within 30 days of the date of a final denial of transfer.

Update to District Websites

AB 2826 also requires school districts to post on their websites a significant amount of new information related to interdistrict transfers. Additionally, the new law specifies that the required website information must be accessible to the public without a password. Notably, district websites are now required to include:

- Information regarding relevant procedures and applicable dates and timelines for interdistrict transfer permits;
- Information regarding the conditions under which an existing interdistrict transfer permit may be revoked or rescinded; and
- A link to the policy of the governing board of the school district regarding interdistrict transfer permits.

Limited Provisional Admission

The new law makes a student eligible for a two-month provisional admission to a school district only upon providing reasonable evidence that a final decision for a request for interdistrict transfer is pending either with the school district of residence, the school district of proposed enrollment, or the county board of education. AB 2826 also specifies whether a student can attend the district of proposed enrollment beyond the two-month period and prohibits

provisional attendance from guaranteeing that a school district or county board of education will approve the request for interdistrict transfer.

In light of the changes made by AB 2826, local educational agencies should consider:

- Updating their interdistrict transfer board policies and administrative regulations;
- Training responsible staff regarding the new timelines and procedures;
- Developing internal procedures and timelines to ensure compliance with the law;
- Updating relevant forms to comply with the notice requirements; and
- Updating their websites to include all required information, including a link to their revised board policies regarding interdistrict transfers.

For more information about the impact of AB 2826 on interdistrict transfers, please contact one of our six offices.

F3 NewsFlash® Written by:

Summer Dalessandro, partner and Natalie Garnica, associate

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