

Date of Hearing: July 1, 2026

ASSEMBLY COMMITTEE ON EDUCATION

Darshana R. Patel, Chair

SB 1082 (Niello) – As Amended April 22, 2026

**SENATE VOTE:**

**SUBJECT:** Pupil attendance: interdistrict transfers: agreements: policies

**SUMMARY:** Requires a school district of proposed enrollment to begin review of an interdistrict transfer request upon receipt, if a parent or guardian of a student submits an interdistrict transfer request concurrently to a school district of proposed enrollment and a school district of residence; requires that either school district determines that a request for an interdistrict transfer is incomplete, the school district notify the parent within 30 days of receipt of the application and identify missing information or documentation to process the request. Specifically, **this bill:**

- 1) Requires, if the governing boards of two or more school districts enter into an agreement for the interdistrict attendance of students, a school district of proposed enrollment to begin review of an interdistrict transfer request upon receipt, if a parent or guardian of a student submits an interdistrict transfer request concurrently to a school district of proposed enrollment and a school district of residence.
- 2) Requires that if either school district determines that a request for an interdistrict transfer is incomplete, the school district must notify the parent within 30 days of receipt of the application and identify missing information or documentation required to process the request.
- 3) Requires the governing board of a school district that has entered into an interdistrict agreement, as specified, to adopt and post the policy on its website providing the relevant procedures and timelines regarding interdistrict transfer requests.
- 4) Requires all interdistrict transfer agreements entered into between school districts on or after January 1, 2027, to include, but not be limited to, the following:
  - a) Any applicable timelines for submitting an interdistrict transfer request;
  - b) The criteria the school district will use to approve or deny a request;
  - c) Relevant information regarding the appeals process if the request is denied;
  - d) The requirement to notify the parent, within 30 calendar days of receipt of the request, identifying any missing information or documentation required by the policies of the school district to process the request; and
  - e) If a school district determines that additional time is necessary to gather required information, including, but not limited to, an individualized education program (IEP) or other relevant record, the school district may extend the review period by up to an additional 30 calendar days, if written notice of the extension is provided to the parent within 30 calendar days of the receipt of the request.

**EXISTING LAW:**

- 1) Requires each person between the ages of 6 and 18 years to attend public school for the full length of the schoolday as designated by the governing board of the school district in which the residency of either the parent or legal guardian is located. (Education Code (EC) 48200)
- 2) Requires a parent or guardian of a minor between the ages of 6 and 16 years who removes the minor from a school district before the completion of the current school term to enroll the minor in a public full-time school of the school district to which the minor is moved. (EC 48201)
- 3) Provides that a student complies with the residency requirements for school attendance in a school district if he or she is any of the following:
  - a) A student placed within the boundaries of that school district in a regularly established licensed children's institution, a licensed foster home, or a foster family home;
  - b) A student who is a foster child who remains in his or her school of origin;
  - c) A student for whom interdistrict attendance has been approved;
  - d) An emancipated student whose residence is located within the boundaries of that school district;
  - e) A student who lives in the home of a caregiving adult that is located within the boundaries of that school district; and
  - f) A student residing in a state hospital located within the boundaries of that school district. (EC 48204)
- 4) Authorizes a school district to deem a student to have complied with the residency requirements for school attendance if at least one parent or the legal guardian is physically employed within the boundaries of that school district for a minimum of 10 hours during the school week. (EC 48204)
- 5) Provides that a student complies with the residency requirements for school attendance in a school district if he or she is a student whose parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order. (EC 48204.3)
- 6) Authorizes two or more school districts to enter into an agreement, for a term not to exceed five school years, for the interdistrict attendance of students to a school district other than the school district of residence. Requires the agreement to stipulate the terms and conditions under which interdistrict attendance shall be permitted or denied. (EC 46600)
- 7) Requires that a student who has been determined to have been the victim of an act of bullying committed by a student of the school district of residence to be given priority for interdistrict attendance under any existing interdistrict attendance agreement or, in the absence of an agreement, be given additional consideration for the creation of an interdistrict attendance agreement. (EC 46600)

- 8) Prohibits a school district of residence from denying the transfer of a child of an active military family or a victim of an act of bullying if the school district of proposed enrollment approves the application for transfer, as follows:
- a) States that if the school district of residence has only one school offering the grade level of the victim of an act of bullying, and therefore there is no option for an intradistrict transfer, the victim of an act of bullying may apply for an interdistrict transfer, and the school district of residence shall not prohibit the transfer;
  - b) Requires a school district of proposed enrollment that elects to accept an interdistrict transfer, for a child of an active military family or a victim of an act of bullying, to accept all pupils who apply to transfer until the school district is at maximum capacity;
  - c) Requires a school district of proposed enrollment to ensure that pupils admitted are selected through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a pupil should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics set forth in EC 220, including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status; and
  - d) Requires a school district of proposed enrollment to provide transportation for a pupil who has transferred and is eligible for free or reduced-price meals, at the request of the parent. (EC 46600)
- 9) Requires each school district of residence and school district of enrollment to post on its website the procedures and timelines regarding a request for an interdistrict transfer permit. Specifies that for current year requests, the school district must notify the parent of its final decision within 30 calendar days, and for future year requests, no later than 14 calendar days after the start of the instructional year. (EC 46600.2)
- 10) Provides for a process to appeal the denial of a request for an interdistrict transfer and requires the school district to notify the parent in writing of the right to appeal to the county board of education within 30 days from the date of the final denial. (EC Section 46601)
- 11) Authorizes the school district of residence or the receiving school district to prohibit transfer if the school district determines that the transfer would negatively impact the court-ordered or voluntary desegregation plan of the school district. (EC 48204)
- 12) Authorizes the receiving school district to prohibit a transfer if the school district determines that the additional cost of educating the student would exceed the amount of additional state aid received because of the transfer. (EC 48204)
- 13) Authorizes the governing board of a school district to operate as a school district of choice (DOC) and accept transfers of students from other school districts; requires the governing board to determine the number of transfers it is willing to accept and requires the district to accept all students who apply to transfer until the DOC is at maximum capacity. (EC 48301)

**FISCAL EFFECT:** According to the Senate Appropriations Committee, this bill could result in one-time Proposition 98 General Fund costs ranging from tens of thousands of dollars to low hundreds of thousands of dollars for school districts to develop or modify their interdistrict

transfer policies and also provide guidance to parents. This estimate assumes that each district would require several hours of personnel time on these activities.

## COMMENTS:

***Need for the bill.*** According to the author, “Senate Bill 1082 is a modest procedural measure that improves the efficiency and transparency of California's interdistrict transfer process. The bill allows concurrent review of transfer requests, clarifies notification requirements when applications are incomplete, and ensures families have access to clear information regarding timelines, criteria, and appeal rights. By reducing unnecessary delays while preserving local decision-making authority and existing appeal rights, SB 1082 helps families receive timely and predictable decisions.”

***Major provisions of this bill.*** It authorizes a school district of proposed enrollment to begin review of an interdistrict request concurrently with the school district of residence, rather than waiting for the response of that district. Requires either district to notify the parent within 30 days if the interdistrict transfer request is missing any required information or documentation. It authorizes a district to extend the review period for up to an additional 30 days if time is needed to gather the required information and if the parent is notified of the delay within 30 days.

***Interdistrict transfers.*** California law requires school districts to provide an education to any student who resides within the district's attendance area. Although students have the right under California law to a free, public education, the law does not guarantee that a student can attend the school of his or her choice, or even the neighborhood school.

An intradistrict transfer is when parents or guardians wish to register their student at a school other than the designated school that is in their attendance area within their district. The basis for this provision is the signing of an agreement between districts. Interdistrict transfer reciprocal agreements must be approved by both the student's original district of residence and the district to which the student seeks to transfer. Both districts must approve the agreement before it becomes valid. The agreement may extend for a maximum of five consecutive years and may include terms or conditions. It is within the authority of either the home district or the receiving district to revoke an interdistrict transfer/reciprocal agreement at any time for any reason the local board or district superintendent deems appropriate.

If a request for an interdistrict transfer/reciprocal agreement is denied, the student's parents or guardians may file an appeal to the county office of education (COE) in the student's district of residence within 30 days of receipt of the official notice of denial of the transfer.

Existing law prohibits a district of residence from denying an interdistrict transfer request in specific instances, including a child of an active duty military parent, homeless youth, migratory children, foster youth, and victims of bullying for which an intradistrict transfer is not an option. In these instances, a school district of enrollment that elects to accept interdistrict transfer students must accept all pupils until they reach maximum capacity. The district must ensure that pupils are selected through an unbiased process and is required to provide transportation for a pupil who has transferred and is eligible for free or reduced-priced meals, at the request of the parent.

***Response timing can be delayed.*** For a parent submitting a request for an interdistrict transfer, the school district is currently required to notify a parent of its decision within 30 calendar days

from when the request was received. For students denied a release, parents may appeal the decision to their county board of education within 30 calendar days from the date of final denial, and the county board of education has another 30 calendar days after the appeal is filed to determine whether the student should be permitted to attend the school district of proposed enrollment, as well as the applicable period of attendance.

In theory, a parent should not have to wait more than 30 days to learn if their request was approved. If denied and then appealed to a county board of education, this process could take another 30 to 60 days, depending on when the parent files an appeal. In total, according to existing timelines, this means that a parent should be waiting between 1 to 3 months for a final decision on an interdistrict transfer permit. ***This bill*** is intended to streamline the process and reduce delays for parents to receive responses on their interdistrict transfer requests.

***Interdistrict transfers based on parent employment.*** Current law authorizes school districts to deem a student to have complied with the residency requirements for school attendance in the district if at least one parent or guardian is physically employed within the boundaries of that district. Once admitted to residency, the student's transfer may be revoked only if the parent ceases to be employed within the boundaries of the district. As a resident, the student does not have to reapply each school year for the transfer to be valid.

***Districts of Choice (DOC)*** Absent an interdistrict attendance agreement and the specific instances listed above, a district of residence can deny a request to transfer to another district, unless the district of proposed attendance is a DOC. If a district declares itself to be a DOC, then the district of residence cannot deny a transfer request. A district that elects to operate as a DOC must accept all students who apply to transfer until it is at maximum capacity. If the number of transfer requests exceeds the district's capacity, applications for transfers must be selected through a random drawing. DOCs are specifically prohibited from approving transfers on the basis of academic performance, athletic performance, physical condition, or English proficiency.

***Lack of data on interdistrict transfers.*** A Legislative Analyst's Office (LAO) report from February 2021 on the District of Choice Program stated that in 2018-19, 146,109 students used an interdistrict permit and that 635 districts accepted students through interdistrict permits; however, this data relies upon a special data extraction prepared by the California Department of Education (CDE). Without publicly available data on interdistrict transfers, including how many requests are approved or denied every year, how long requests take to be resolved, how often and when appeals are filed, and which districts or county boards of education are seeing longer than expected delays, it is difficult to know to what extent this is a statewide problem.

***Recommended Committee Amendments.*** *Staff recommend that the bill be amended as follows:*

- 1) Authorize a school district to extend the review period for an additional 30 days only under two conditions:
  - a) An individualized education program (IEP) meeting has been scheduled or is pending; or
  - b) The application submitted by the parent, guardian, or educational rights holder is incomplete.

- 2) Require that prior to extending the review period as noted above, the school district provide written notice to the parent or guardian identifying the specific information required to complete its review.

***Arguments in support.*** The Los Angeles County Office of Education writes, “SB 1082 improves the interdistrict transfer process by requiring school districts to notify families when applications are incomplete and to identify missing information within a specified timeframe. This provision helps reduce denials based on incomplete applications and provides families with a fair opportunity to submit necessary documentation.

The bill also allows concurrent submission of transfer requests to both the district of residence and the district of proposed enrollment, improving efficiency and reducing delays for families navigating the process. These changes promote greater clarity and consistency in how transfer requests are handled.

By establishing clearer expectations and timelines, the bill helps ensure that families receive timely and transparent communication throughout the transfer process. This can reduce confusion and frustration while supporting more equitable access to educational options. Additionally, the bill supports more thoughtful engagement between districts and families by allowing sufficient time to review requests, address concerns, and explore available options. This can help strengthen relationships and ensure decisions are made with a full understanding of student needs, ultimately leading to more equitable outcomes.”

***Related legislation.*** SB 399 (Niello) of the 2025-26 Session, would have required school districts to keep a record of all requests for interdistrict transfer and records of the disposition of those requests, including specified information; required school districts to submit annually, by June 30, the information for the current school year to the Superintendent of Public Instruction (SPI); and required the SPI to post annually, by August 1, the information on the CDE website. This bill was held in the Senate Appropriations Committee.

SB 897 (Newman) Chapter 865, Statutes of 2024, extends the DOC program in perpetuity, prevents DOCs from discriminating based on various student characteristics in their communication and admission processes, requires DOCs to accept transfers for foster youth and homeless children, and give them second priority for attendance, allows districts with a qualified or negative budget status to limit students transfers to DOCs, and requires DOC program requirements to be subject to annual audit.

AB 1984 (Weber) Chapter 368, Statutes of 2024, requires, commencing with the 2026-27 school year, LEAs to provide to the CDE data on student transfers due to disciplinary reasons, and the CDE to publish the information on its website. Requires the CDE, when providing guidance on its website about reducing disproportionate discipline of pupil subgroups in schools, to advise LEAs against the use of transfers to avoid reporting suspensions and expulsions.

SB 413 (Bradford) Chapter 606, Statutes of 2023, requires county boards of education to decide interdistrict appeals within 30 calendar days and authorizes a class 1 and 2 counties to decide interdistrict appeals within 60 calendar days in specific instances that involve delays and scheduling conflicts initiated by the parent or home school district; and in cases where the application was filed outside the home school district transfer window.

AB 237 (Wallis and Hoover) of the 2023-24 Session would have prohibited a school district from denying an interdistrict or intradistrict transfer request for a low performing pupil who attends a school identified for comprehensive support and improvement; required a pupil to transfer to a school that has not been identified for comprehensive support and improvement; and, required that if a school district of enrollment accepts transfers, the school district have an unbiased selection process, accept all pupils until they reach maximum enrollment, and provide transportation for pupils who qualify for the free and reduced price meal program. This bill was held in the Assembly Appropriations Committee.

AB 1127 (Luz Rivas) Chapter 781, Statutes of 2019, requires a school district of residence to approve an intradistrict transfer request for a victim of bullying. States that if a school district only has one school, the student's school district of residence must not prohibit the student's interdistrict transfer. Requires, upon request of a parent or guardian on behalf of the student, the school district of enrollment to provide transportation assistance if the student is considered low-income. States the intent of the Legislature that the costs of transportation not exceed the amount of supplemental funding school districts already receive to serve low-income students.

AB 3086 (Kiley) of the 2017-18 Session would have extended interdistrict, open enrollment to pupils who are either homeless, in foster care, migrant, or victims of bullying. This bill was vetoed by the Governor with the following message:

It is unclear what problem this bill is trying to solve and whether there is a statewide issue requiring a solution. There are already many other existing school choice options available to parents. This bill will only further complicate an already complicated array of statutes without evidence that parents need or will utilize this option.

AB 2826 (Friedman) Chapter 550, Statutes of 2018, requires each school district of residence and school district of proposed enrollment to post on its website the procedures and timelines regarding a request for an interdistrict transfer permit. Further requires a school district that denies a request for an interdistrict transfer to advise the parent, in writing, of the right to appeal to the county board of education within 30 calendar days from the date of the final denial.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Association of California County Boards of Education  
California Catholic Conference  
California Policy Center  
Families in Action for Quality Education  
Fieldstead and Company  
Just Advocates  
Kern County Office of Education  
Lighthouse Community Public Schools  
Los Angeles County Office of Education  
Monterey County Office of Education  
Orange County Board of Education  
Placer County Office of Education  
Seneca Family of Agencies

**Opposition**

None on file

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