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# SENATE COMMITTEE ON MILITARY AND VETERANS AFFAIRS

Senator Bob Archuleta, Chair

2025 - 2026 Regular

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<b>Bill No:</b>	AB 1412	<b>Hearing Date:</b>	7/14/25
<b>Author:</b>	Jeff Gonzalez		
<b>Version:</b>	4/21/25 Amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Jenny Callison		

**Subject:** Special education: pupil transfers: residency requirements: records

## DESCRIPTION

### Summary:

Requires a local educational agency to adopt and implement the individualized education program (IEP) for a transfer student within 30 days of receipt of records.

### Existing law:

- 1) Defines a pupil as meeting school district residency requirements if their parent is transferred or pending transfer to a military installation within California while on active military duty, under official orders. (Education Code (EC) § 48204.3)
- 2) Requires local educational agencies (LEAs) to provide comparable special education services for up to 30 days to students with existing IEPs who transfer between California districts, after which the LEA must adopt the existing IEP or develop a new one. (EC § 56325(a)(1))
- 3) Requires LEAs to provide comparable services to students with IEPs who transfer from out of state, in consultation with the parents, until the LEA conducts an assessment and develops a new IEP if needed, but does not establish a specific timeline. (EC § 56325(a)(3))
- 4) Requires receiving schools to take reasonable steps to obtain a transferring student's IEP and related records from the previous school and requires the former school to promptly respond. (EC § 56325(b))
- 5) Requires receiving schools to accept unofficial records from a military-connected student's parent or guardian, pending receipt of official records, consistent with the Interstate Compact on Educational Opportunity for Military Children. (EC § 49701)
- 6) Assigns fiscal responsibility for certain residential nonpublic, nonsectarian school placements to the Special Education Local Plan Area (SELPA) that made the original placement, even if the student transfers to a district in another SELPA. (EC § 56836.165)

This bill:

- 1) Clarifies that students eligible under the Individuals with Disabilities Education Act (IDEA), Section 504, or the ADA meet school district residency requirements when their parent is transferred or pending transfer to a military installation in California under official orders, consistent with advance enrollment provisions.
- 2) Requires a school district, upon notification that a student may be eligible for services under IDEA, Section 504, or the Americans with Disabilities Act (ADA), to promptly coordinate with the student's parents and prior school to facilitate timely exchange of records and reduce delays in the provision of services.
- 3) Requires a LEA, within 30 days of receiving official or unofficial records for a student transferring into California from another state, to either adopt and implement the student's existing IEP or develop, adopt, and implement a new IEP consistent with federal and state law.
- 4) Requires a receiving school to take reasonable steps to obtain the student's IEP, supporting documents, and other relevant records from the student's prior school, consistent with the federal Family Educational Rights and Privacy Act (FERPA) and the Interstate Compact on Educational Opportunity for Military Children.
- 5) Requires a receiving school to accept unofficial records provided by a parent or guardian, pending receipt and validation of official records, consistent with the Interstate Compact on Educational Opportunity for Military Children.
- 6) Specifies that when a student residing in a residential nonpublic, nonsectarian school is transferred to another SELPA midyear, the SELPA that made the original placement remains fiscally responsible for the placement and related services through the remainder of the school year, including any extended school year session.

**BACKGROUND**

According to the U.S. Department of Defense, California is home to over 150,000 active-duty service members and more than 50,000 military-connected K–12 students. The highly mobile lifestyle of military connected children can lead to educational disruptions. Military-connected students move frequently—on average six to nine times during their K–12 career—which places them at heightened risk for disruption in education services. These risks are compounded for students with disabilities, who rely on timely and consistent implementation of specialized supports.

Existing law requires that a student with an existing individualized education program who transfers to a new school district from within the state to immediately receive comparable services to the previously approved IEP for at most 30 days. After 30 days, the new school district must adopt the previously agreed upon IEP or adopt a new IEP. This 30 day timeline does not exist for a student with special needs transfers from out of state.

A 2021 national survey found that families of military-connected students with disabilities waited an average of 171 days for services following identification, and nearly 80% of those who experienced a service lapse after a move reported delays longer than 60 days. The existing 30-

day timeline for IEP implementation/adoption for in-state transfers does not allow students who are transferring from out of state to enjoy this benefit. This put in place unnecessary barriers for many children of military members who transferred from another duty station to one in California.

### **COMMENT**

In 2010, California joined all 50 states and the District of Columbia in adopting the Interstate Compact on Educational Opportunity for Military Children to mitigate the academic and social impacts of frequent moves. The Compact enshrines key principles such as timely enrollment, transparent record transfers, and continuity in academic programs. This bill builds on those principles, especially as they apply to special education. It ensures that disability-related services are treated as a core component of educational access so no military student in California is underequipped.

According to the author: “As a veteran myself, I have seen first-hand the impacts that the military lifestyle can have on children as they navigate their education. Students are often forced to relocate and get reacquainted with new schools many times as their parents are transferred while on active duty to our nation. Students with special needs face even more challenges as they require special education services that are tailored to their needs and those services are often delayed after they transfer schools. This bill would provide a timeline for school districts to implement and adopt those special services and flexibility for students and their families so that the services can be implemented sooner. Addressing these educational and service delays is essential for taking care of our military connected students, especially those with special needs.”

### **POSITIONS**

**Sponsor:** Author.

**Support:** U.S. Department of Defense (Sponsor)  
American Legion, Department of California  
AMVETs, Department of California  
California Association of County Veterans Service Officers  
California State Commanders Veterans Council  
California State PTA  
Disability Rights California  
Emotions Matter INC  
Military Officers Association of America, California Council of Chapters  
Military Services in California  
San Diego Regional Chamber of Commerce  
The Arc and United Cerebral Palsy California Collaboration

**Oppose:** None on File.

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