

# Senate Bill 1082 (Niello)

## Interdistrict Transfer Timelines & Process

### *Addressing Common Concerns*

#### **1. Does this bill eliminate a district's ability to deny an interdistrict transfer?**

No. It simply allows districts of residence to waive review of exit requests where appropriate, while requiring districts that choose to review or deny exit requests to do so in a timely way.

The bill does not change a district of desired attendance's authority to approve or deny interdistrict transfer requests based on capacity, program availability, or locally adopted criteria. It also allows districts of desired attendance to review requests concurrently, which helps expedite decision-making for families.

SB 1082 preserves local discretion while making the interdistrict transfer process clearer, more predictable, and easier for families to navigate.

#### **2. What problem is this bill actually trying to solve?**

Many school districts in California routinely approve interdistrict exit requests, and the review process in those cases is often straightforward. SB 1082 recognizes this practice by allowing districts to waive review where appropriate, while ensuring that districts that choose to deny exit requests do so within a clear and timely timeframe.

By clarifying timelines and expectations, the bill ensures families receive prompt decisions, preserves parents' existing appeal rights, and streamlines the process when appeals do occur - particularly at the county board of education level. The result is a more predictable and efficient interdistrict transfer process for families, districts, and county offices alike.

#### **3. Does this force receiving districts to accept students they cannot accommodate?**

No. SB 1082 does not require any district to accept a student it cannot accommodate.

Under Education Code Section 46600(a)(3), an interdistrict transfer permit is valid only upon concurrence by the district of proposed enrollment. That concurrence remains fully

discretionary. SB 1082 preserves the receiving district's authority to deny requests due to capacity or other lawful criteria.

The bill also explicitly authorizes receiving districts to issue provisional acceptances when enrollment capacity is uncertain, ensuring districts can manage real-world enrollment fluctuations without delaying decisions or creating instability.

#### **4. Why are the timelines necessary? Why allow districts of residence to waive review?**

Timelines help ensure families receive timely and predictable decisions. While existing law requires districts to establish timelines for responding to interdistrict transfer requests (Education Code Section 46600.2), it does not clearly address situations where no response is issued, which has led to delays in practice.

SB 1082 allows districts of residence to waive review where appropriate, which can significantly reduce administrative burden for districts that routinely approve exit requests. At the same time, it ensures that districts that choose to review or deny exit requests do so in a timely way. Together, these changes preserve existing appeal rights, reduce unnecessary delays, and help the interdistrict transfer process function more smoothly for families, districts, and county boards of education

#### **5. Will this increase administrative burden or cost for school districts?**

No. SB 1082 streamlines the process. For most districts, the bill is expected to reduce administrative burden and associated costs by allowing districts that routinely approve interdistrict transfer requests to waive review and avoid unnecessary processing.

For districts that choose to review or deny requests, the bill simply establishes a reasonable and predictable timeline for doing so. By clarifying timelines and allowing concurrent review, SB 1082 helps reduce delays and unnecessary appeals, supporting a more efficient process.

#### **6. Will this bill increase administrative burden for receiving districts, particularly those that are overenrolled and routinely deny interdistrict transfer requests?**

No. SB 1082 does not create a new obligation for receiving districts; it clarifies when review may occur and aligns timelines with responsibilities that already exist in statute.

Under Education Code Section 46601, when a district of residence denies a transfer request, parents have the right to appeal, and receiving districts are already required to

participate and indicate whether they would accept the student if the transfer were approved. In addition, Education Code Section 46600(a)(3) requires concurrence by the district of proposed enrollment as part of the interdistrict transfer process. SB 1082 does not alter or expand these requirements.

What the bill changes is timing, not responsibility. By allowing concurrent review, SB 1082 enables receiving districts to complete work they already must do earlier in the process, rather than after prolonged delays that can extend 90 to 120 days. For districts that routinely deny requests due to capacity, early review may reduce administrative burden by allowing a timely denial or provisional response, while preserving full discretion to deny where capacity does not exist.

### **7. Is the 30-day timeline realistic?**

Yes. Many districts routinely approve interdistrict exit requests, meaning no review is required in most cases. For districts that choose to review or deny exit requests, the process is typically a straightforward clerical review to confirm the request meets posted criteria.

The 30-day timeline reflects existing practices and provides sufficient time for districts to act, while ensuring families receive timely decisions and the process remains predictable.

### **8. Does this apply to existing interdistrict transfer agreements?**

No. SB 1082 applies prospectively to new interdistrict transfer requests.

Existing interdistrict transfer permits issued pursuant to Education Code Section 46600 remain valid for their full term and are not affected. The bill does not revoke or reopen approved transfers and does not disrupt existing enrollment placements.

### **9. Will this lead to increased transfers or enrollment instability?**

No. The criterion for approval remains the same. The bill does not change who is eligible or who may be accepted. Instead, it reduces uncertainty and improves predictability for both families and districts.

By reducing delays and unnecessary appeals, SB 1082 may actually serve to support more stable enrollment planning across districts.

### **10. Why allow concurrent review by the receiving district?**

Without concurrent review, the interdistrict transfer process can become unreasonably long, delaying families' ability to receive a final decision and (if necessary) access the appeal process in a timely way. When receiving districts wait to begin review until the district of residence responds, families may experience months of uncertainty.

Allowing concurrent review enables districts of desired attendance to assess requests earlier, shortens overall processing time, and supports timely decision-making and appeals - without changing a district's authority to approve or deny a request.

### **11. Does this change parents' appeal rights?**

No.

### **12. Is participation in the interdistrict transfer process discretionary for school districts under existing law?**

While participation in interdistrict transfer agreements is voluntary, the procedures that apply once a district chooses to participate are not.

SB 1082 does not change a district's ability to decide whether to participate in interdistrict transfer agreements. Instead, it clarifies expectations within the existing framework by ensuring that, where districts do participate, requests are processed in a timely and predictable way. The bill preserves local discretion over outcomes while helping ensure families receive clear decisions and access to appeal rights without unnecessary delay.