

**ASSEMBLY BILL**

**No. 1799**

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**Introduced by Assembly Member Bradford**

February 21, 2012

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An act to amend Section 49068 of the Education Code, relating to pupil records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1799, as introduced, Bradford. Pupil records: pupil transfers.

Existing law requires a pupil's former school district, as defined, or private school to transfer the pupil's permanent record, or a copy thereof, upon a request from the school district, as defined, or private school where the pupil intends to enroll.

This bill would instead require the former public school or private school to perform the transfer of the pupil's permanent record or copy of it no later than 10 schooldays, as defined, following the date of the request. The bill would state legislative findings and declarations regarding the importance of the academic record of a transferring pupil and the accuracy of those records. By imposing a new requirement on public schools to transfer records within 10 schooldays, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 49068 of the Education Code is amended  
2 to read:  
3 49068. ~~Wherever~~ *(a) The Legislature finds and declares that*  
4 *the academic record of a transferring pupil is essential to the*  
5 *pupil’s placement, academic success, and timely graduation. The*  
6 *Legislature further finds and declares that an accurate, updated*  
7 *pupil record enhances school safety, academic achievement, and*  
8 *pupil welfare when the record of a transferring pupil includes*  
9 *transcripts, immunization records, and, when applicable,*  
10 *suspension notices, expulsion records, and individualized education*  
11 *programs.*  
12 *(b) If a pupil transfers from one public school-district to another*  
13 *or to a private school, or transfers from a private school to a public*  
14 *school-district within the state, the pupil’s permanent record or a*  
15 *copy thereof of it shall be transferred by the former-district public*  
16 *school or private school-upon a no later than 10 schooldays*  
17 *following the date of the request from the-district public school or*  
18 *private school where the pupil intends to enroll. Any*  
19 *(c) As used in this section, “schoolday” means a day upon which*  
20 *the school is in session or nonholiday weekdays during the summer*  
21 *break.*  
22 *(d) A public school-district requesting such a transfer of a record*  
23 *pursuant to this section shall notify the parent of his or her right*  
24 *to receive a copy of the record and a right to a hearing to challenge*  
25 *the content of the record. The State Board of Education is hereby*  
26 *authorized to*  
27 *(e) The state board may adopt rules and regulations concerning*  
28 *the transfer of records.*  
29 SEC. 2. If the Commission on State Mandates determines that  
30 this act contains costs mandated by the state, reimbursement to  
31 local agencies and school districts for those costs shall be made  
32 pursuant to Part 7 (commencing with Section 17500) of Division  
33 4 of Title 2 of the Government Code.

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