

New Law Enhances Continuity of Special Education for Transfer Students

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On October 7, 2025, Governor Gavin Newsom signed Assembly Bill (AB) 1412, enhancing educational continuity for students with disabilities who transfer into California schools from out-of-state, with a particular focus on students of military families. AB 1412 amends Education Code sections 48204.3 and 56325 to establish procedures to expedite records transfers, to require faster implementation of individualized education programs (IEPs), and to address questions of responsibility for students placed in residential nonpublic schools who transfer between Special Education Local Plan Areas (SELPA) midyear.

Challenges in Special Education for Military-Connected Students

According to the bill's authors, a 2021 national survey reported that families of military-connected students with disabilities waited an average of 171 days after transfer for services to be identified and implemented. These delays contributed to significant learning loss and further disruption of educational stability for students already coping with challenges related to being in a military-connected family, like family separation, housing transitions, and frequent school changes.

Existing law already requires local educational agencies (LEAs) to immediately implement IEP services for students with disabilities who transfer within California. These services must align with their previously adopted IEP and be implemented for up to 30 days, while a student is getting settled into a new, receiving district. Within that 30-day period, the new district can either adopt that existing IEP, or develop a new one, ensuring that appropriate ongoing services are in place and implemented after those first 30 days. However, that law did not establish a similar timeline for students transferring to California LEAs from out of state.

Students who relocate frequently, like many military families, often face significant educational disruptions. This instability can disproportionately affect students with disabilities, who might require consistent support and services to maintain their educational progress. The need for these students to receive timely adoption or continuity of services upon transfer, whether from in or out of state, motivated this legislative change.

Additionally, though existing law already required LEAs to promptly obtain student records, it also prohibited the reliance on unofficial records while awaiting official copies. This restriction often impeded an LEA's ability to

promptly adopt and implement IEPs for students transferring from out of state. AB 1412 addresses this restriction.

Ensuring Continuity of Services for Military-Connected Students

AB 1412 amends Education Code sections 48204.3 and 56325 to clarify that a parent's official military orders for a transfer or pending transfer to a military installation in California satisfies residency requirements for all students with disabilities.

Moving forward, LEAs must promptly coordinate with a student's parent or guardian and the prior school to facilitate the timely exchange of records and prevent delays in service delivery for students with disabilities transferring into California from out-of-state schools. As with in-state transfers previously, LEAs must now either immediately adopt the student's previously existing IEP or develop, adopt, and implement a new IEP within 30 days of arrival.

Additionally, LEAs no longer need to wait for official records to arrive; instead, they must take proactive steps to obtain the student's IEP, supporting documentation, and other relevant records as quickly as possible from the prior school, and may now use unofficial records provided by a parent or guardian as the basis for the design and provision of services while awaiting the official records.

Finally, AB 1412 maintains and clarifies financial requirements related to students who are residing in residential treatment centers and nonpublic schools whose residency transfers between SELPAs mid-year. The law provides that the SELPA of the LEA that had a student placed in a residential treatment center prior to the transfer of legal residency remains financially responsible for that placement for the remainder of that school year, including any extended school year, should the student remain in the residential placement.

Takeaways

LEAs should take whatever steps are necessary to implement IEP supports and services for students who transfer from out of state, especially when those students are in military-connected families. LEAs may request and utilize unofficial records while waiting for a prior school to send official records, in order to make that transition more seamless. This may require updated training for case managers, IEP teams, records departments, and may also warrant a revision of current board policies or administrative regulations to coincide with the changes in the law.

If you have any questions about AB 1412 or special education in general, please contact the authors of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#) and [LinkedIn](#), or download our [mobile app](#).

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