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*A Joint Powers Authority serving school and
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LEGAL UPDATE

December 14, 2012

To: Superintendents, Member School Districts (K-12)

From: Carl D. Corbin, Associate General Counsel *CDC*

Subject: Student Records must be Sent to Receiving District within 10 School Days
Memo No. 32-2012

On September 19, 2012, Governor Brown signed into law AB 1799, which modifies Education Code section 49068 to require a public or private school to transfer to the receiving public or private school either the student's educational records or a copy within 10 school days from the written receipt of a request for the student's records from the receiving public or private school. This change in state law is effective on January 1, 2013.

Please note that California Code of Regulations, title 5, section 3024, has a more stringent timeline regarding special education records, which requires the former educational agency, upon receipt of a written request from the receiving educational agency, to send to the receiving educational agency either the student's records or a copy within 5 school days.

Please contact our office with questions regarding this or any other legal matter.