

**INTERDISTRICT ATTENDANCE – ELEMENTARY SCHOOLS**General Information

Requests for interdistrict attendance permits, both incoming and outgoing, shall be submitted to the employee in charge of interdistrict requests and reviewed by the Superintendent or designee. All requests, whether into or out of the district, are for one school year only and must be renewed annually. For transfers into the District, the student and parent/guardian must sign an Interdistrict Transfer Student Contract annually.

Each transfer request will be judged on its individual merits. All factual information and supporting documentation submitted with the transfer request will be subject to verification. Any transfer request containing or based upon false information will be denied or revoked, and the parent or guardian responsible will be referred to legal authorities as provided by law.

Requests for Interdistrict Attendance Permits Into the District

1. The parent/guardian must first obtain approval for the student's transfer from the student's current district of residence on the appropriate form.
2. The Superintendent or designee will consider all requests for interdistrict attendance permits that are approved by the district of residence and submitted to the San Rafael City Schools by June 1 for the following school year. Applicants will be advised by July 1 as to whether their applications have been approved, denied, or wait-listed. Each applicant will be notified in writing of the final disposition of the request not later than 14 days after the beginning of the subsequent school year.
3. The Superintendent or designee may deny requests for interdistrict attendance permits if the district's facilities are overcrowded at the relevant grade level and based on other nonarbitrary considerations. Regarding special programs at all elementary grade levels, the capacities per class (calculated as a District average) are identified as follows:
  - \* Special Day Class – 8
  - \* Resource Specialist Program – 15 (caseload per certificated staff member)
  - \* Designated Instructional Services – 35(caseload per certificated staff member)
4. If the request for transfer is approved, the district retains the authority to determine the specific school to which the student will be assigned. However, the district will attempt to accommodate a parent/guardian's request for placement in a specific school site, subject to the priorities and policies established in the district's residency regulations.
5. If the request for transfer is denied, the parent/guardian will be notified in writing of the right to appeal to the district Board of Education. ~~If the appeal is denied by the Board of Education, the parent/guardian will be notified in writing regarding the process for appeal to the County Board of Education. An appeal to the County Board of Education must be made within thirty days of the district Board's denial. A student whose request for transfer is based on his/her parent's employment within the district's boundaries, including employment by the district, shall not have the right to appeal a denial to the County Board.~~

**INTERDISTRICT ATTENDANCE – ELEMENTARY SCHOOLS** (continued)

The Board requires that all requests for interdistrict attendance and the required supporting documentation be certified by the parent, guardian, childcare provider or caregiver under penalty of perjury. The Superintendent or designee is responsible for confirming the accuracy of information contained in such requests and documentation; investigating any suspicion that information has been falsified; reporting such violations to the appropriate law enforcement agencies; and reporting such activities to the Board.

Requests for Renewal of Interdistrict Attendance Permits Into the District

Requests for renewal of interdistrict attendance permits into the district will be reviewed according to the process for new interdistrict attendance permits, with the following exceptions:

1. A request for renewal of an interdistrict attendance permit must be submitted by April 1<sup>st</sup>. Applicants will be advised by June 1 whether the application is approved or denied. Applications that are approved may be subject to participation in a lottery, should the number of applicants at the student's school site exceed capacity at that site. Lottery procedures, including relevant priorities, are described in the district's intradistrict attendance policy and regulations.
2. A request for renewal of an interdistrict attendance permit submitted after April 1 will be processed as a new request.
3. ~~If admission to the district was approved based on the location of the student's parent's employment, the student shall be allowed to attend school in the district through the eighth grade if the parent/guardian so chooses, subject to (1) annual completion of the interdistrict application by the April 1<sup>st</sup> deadline to verify continued employment within the district according to proof acceptable to the District, consistent with the District's Residency Policy and Regulations; and (2) any other limitation as allowed by law, including violations of the Interdistrict Transfer Student Contract.~~

Grounds for Approval

The Superintendent or designee may approve interdistrict attendance permits when capacity within the district exists. Students whose requests are denied solely because of lack of capacity within the district will be placed on a waiting list, and their applications will be reconsidered if space becomes available. Applications may be approved based on the following priorities, listed in order (with the top priority listed first):

1. A student whose sibling is an ongoing interdistrict transfer student enrolled with San Rafael City Schools.
- 1- 2. A student whose parent or guardian is an employee of the San Rafael City Schools.
- 2- 3. ~~A student whose parent or guardian is employed within the district's boundaries.~~
3. A student whose request is based on a desire to ensure educational continuity.
4. ~~A student whose sibling is an ongoing interdistrict transfer student.~~

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~~Regarding priorities 1 and 2, above, “employment” generally describes a relationship between an employer and an employee. An employee does not include one who performs services as an independent contractor, but does include a person who is self-employed with a permanent place of business within the boundaries of the elementary district. Interdistrict transfer applications citing employment within the elementary district boundaries must be supported by written verification by the employer (or by the parent/guardian, if self-employed) of employment of at least twenty (20) hours/week and for at least thirty (30) weeks per year. Verification shall be attached to the original application for an interdistrict attendance permit, and to each subsequent application.~~

Regarding priority 2, an “employee” must be a member of the district management team, regular year certificated employee, confidential classified employee, or employee covered by the classified bargaining unit. Employees must have permanent status in the District, with a .5 FTE or greater assignment. Children of employees will be defined as the natural, adopted, and step-children currently residing with a District employee as described above, or the children of an employee's registered Domestic Partner currently residing with the employee.

Regarding priority 3, above, “educational continuity” includes such considerations as the desire to complete the highest grade at a site or continuing education in the district after a number of years as a district student. Transfer requests also may be approved to allow a student to complete a school year when the parent or guardian has moved out of the district during the year, or to continue attendance if the student will be living out of the district for less than one school year. Students who have moved out of the district and wish to remain in the district for the remainder of the year may stay pending approval by the new district of residence or an appeal of that district’s decision to the Marin County Office of Education, and a positive recommendation by the school principal.

Notwithstanding these priorities, the Superintendent/designee may grant a transfer if, in the judgment of the Superintendent/designee, the parents/guardians provide evidence of extraordinary circumstances (such as a threat of physical harm to a student) warranting a transfer.

Applications will be approved or denied by the Superintendent or designee. Applicants will be notified in writing if the request is denied, ~~and~~ will be given the reason for the denial, and provided with a copy of BP/AR 5117. Denials by the district may be appealed to ~~the district Board~~. ~~If the appeal is denied, the request may be appealed to the Marin County Office of Education within thirty days of the district’s final decision.~~

Grounds for Revocation

Pursuant to Education Code section 46600, the following are the terms and conditions under which an interdistrict attendance permit may be revoked:

1. Determination by the district that the transfer request or supporting documentation was based upon false or fraudulent information.
2. Failure to comply with the requirements of the Interdistrict Transfer Student Contract, which include demonstrating acceptable academic performance, attendance, and behavior. The Contract must be signed by both the student and the parent or guardian.

3. Determination by the district that the conditions on which the interdistrict attendance permit approval was based are no longer met. It is the responsibility of the parent or guardian to notify the district within ten (10) days if any of the conditions justifying the transfer approval change. The student may be permitted, within the discretion of the Superintendent or designee, to complete the school year in the district with the approval of the district of residence.
4. Determination by the district that the continuing presence of the student is not in the student's best educational interest, or will interfere with the needs of other students, or both

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**INTERDISTRICT ATTENDANCE – ELEMENTARY SCHOOLS** (continued)

The District will give ten days' notice to a parent or guardian prior to the revocation of an interdistrict attendance permit.

Requests for Interdistrict Attendance Agreements Out of the District

~~Parents/guardians of students wishing to transfer out of the district shall complete an application for transfer. It is required that the parent or guardian of the applicant meet with the student's current school principal to discuss the reason for the transfer request and obtain his/her signature on the application.~~

Applications that are approved by the district must also be approved by the receiving district. Parents should advise the San Rafael City Schools of the final disposition of their request within five days of notification by the receiving district or the Marin County Office of Education, in the case of an appeal.

1. The student, parent/guardian must obtain the appropriate interdistrict transfer request form from the Superintendent's office.
2. The Superintendent or designee may approve a request for transfer if the transfer satisfies a compelling social, medical, educational or familial need of a student. The request may be denied if the needs of the student can be met within the student's District of Residence.
3. The Superintendent or designee may contact the principal of the student's school of attendance for his/her recommendation on whether or not the transfer request meets the Board criteria for approval.
4. Requests shall be approved for students with an approved interdistrict transfer the prior year.
5. If the request is denied, the Superintendent will notify the student, parent/guardian of the denial and of their appeal rights. (Education Code 46601)