

INTERDISTRICT ATTENDANCE – HIGH SCHOOLS**District of Choice Program**

The Governing Board has participated in the District of Choice program from December 8, 2008 until January 16, 2018. Although the District no longer participates in this program, the Governing Board believes that students enrolled under District of Choice between the dates of August 2015 to August 2017 should be provided with the opportunity to complete their education within San Rafael City Schools. These students must still comply with the terms of this board policy and related administrative regulations.

All interdistrict attendance agreement requests, either into or out of the district, shall be approved or denied by the Superintendent or designee, acting for the Board based upon criteria in AR 5117.1

School Assignment

Students may request assignment to San Rafael or Terra Linda High Schools. The District does not accept interdistrict transfers into Madrone High School. If an interdistrict attendance request into the District is approved, the Superintendent or designee shall determine the school to which a student shall be assigned.

Term of Transfer

All interdistrict transfers are for one school year only. Existing interdistrict attendance permits shall not be rescinded for students entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

Participation in Open Enrollment Intradistrict Transfer Process

Students with approved interdistrict transfers attending San Rafael or Terra Linda High School may participate in the District's Open Enrollment intradistrict transfer process as provided by Board Policy.

(cf. 5116.1- Intradistrict Transfer-Open Enrollment)

Denial of Transfer – Appeal

~~The student, parent/guardian whose transfer request is denied may appeal to the Marin County Board of Education within 30 days.~~

~~The parent/guardian of a student who is denied a transfer request pursuant to Education Code sections 46600-46611 shall receive timely notice, in accordance with law, regarding the process for appeal to the County Board of Education.~~

The parent/guardian of a student whose transfer request is denied may appeal the denial to the Board. An appeal to the Board must be in writing and must be received by the Superintendent/designee within 30 calendar days of the date of the notice of denial. The Superintendent/designee shall thereafter provide notice to the parent/guardian of the date the Board shall consider the appeal. The parent/guardian may submit a written statement to the Board up to 10 days prior to the Board meeting. The Superintendent/designee may submit a written statement to the Board up to 5 days prior to the Board meeting. At the Board meeting, the parent/guardian and the Superintendent/designee shall each be provided an opportunity to address the Board regarding the appeal. The student/parent shall receive notice, in writing, of the Board's action regarding the appeal.

If the appeal is denied, notice of appeal rights to the Marin County Board of Education shall also be provided. An appeal to the County Board shall be accepted by that board only upon verification that appeals within the district have been exhausted. (Education Code 46601.)

Students who have been expelled from other school districts may not be admitted to the district on interdistrict attendance agreements during the period of their expulsions. Students
BP 5117.1 (b)

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who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials while expulsion proceedings are pending, or during the term of the expulsion.

Transportation will not be provided for students attending the district on interdistrict attendance agreements.

Denial or Revocation of a Transfer Due to Falsification or Fraud

The Superintendent or designee will deny a transfer, or revoke an existing transfer, if material information provided on the transfer form, or provided in support of a transfer is discovered to be false or fraudulent. The denial for false or fraudulent information may be appealed to the Superintendent but his/her decision is final.

(cf. 5119 - Students Expelled from Other Districts)

Legal Reference:

EDUCATION CODE

46600-46610 Interdistrict attendance agreements

48204 Residency requirements for school attendance

48915 Expulsion; particular circumstances

48915.1 Expelled individuals: enrollment in another district

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

52317 Admission of persons including nonresidents to attendance area; workers' compensation for pupils

Policy
adopted: February 13, 2017
revised: February 5, 2018

SAN RAFAEL CITY SCHOOL DISTRICT
San Rafael, California