

INTERDISTRICT ATTENDANCE – ELEMENTARY SCHOOLS

California state law and the rules and regulations of the State Board of Education clearly indicate the principle that students should attend schools in their districts of residency. The Board of Education believes that children should attend elementary schools where they live, and supports the concept of neighborhood schools. The Board shall consider requests for interdistrict attendance agreements in accordance with this general principle.

The Board recognizes that students who reside in one school district may wish to attend school in another school district for a variety of reasons. Because of capacity issues within the district and due to limited resources, the Board will consider approving such transfers on a case-by-case basis through an interdistrict transfer agreement with another school district. In the case of a student wishing to transfer into the district, the request will be considered when class enrollment or program availability will permit the attendance of an out-of-district student.

The Superintendent or designee of the district shall review all requests for interdistrict attendance agreements. The Superintendent is authorized to grant or deny interdistrict attendance requests.

The decision to admit out-of-district students is discretionary. When capacity exists, applications may be approved based on the following priorities, listed in order (with the top priority listed first):

1. Students whose siblings are ongoing interdistrict transfer students.
2. Students whose parents/guardians are employees of the San Rafael City Schools.
3. Students whose requests are based on a desire to ensure educational continuity.
4. Parents or guardians who have compelling personal needs, such as employment and childcare, which can be addressed through the enrollment of their students in San Rafael City Schools.

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 warranting a transfer.

The Superintendent or designee may deny applications for interdistrict transfers due to space limitations or other non-discriminatory reasons. The Superintendent or designee may also revoke an interdistrict transfer permit for non-discriminatory reasons.

~~The parent/guardian of a student who is denied a transfer request pursuant to Education Code sections 46600-46610 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

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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.

Legal References:

EDUCATION CODE

46600-46610 Interdistrict attendance agreements

48204 Residency requirements for school attendance

48915 Expulsion; particular circumstances

48915.1 Expelled students; enrollment in another district

48918 Rules governing expulsion proceedings

48980 Notice at beginning of term

Policy
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SAN RAFAEL CITY SCHOOL DISTRICT
San Rafael, California

revised: January 25, 2010
revised: January 16, 2018

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