

STUDENTS
INTERDISTRICT ATTENDANCE AGREEMENT

In accordance with an agreement between the Board of Trustees and the Board of another district, a permit authorizing a student's attendance outside his/her district of residence may be issued upon approval of both the district of residence and the district of proposed attendance.

The superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:

1. When the student has been determined by staff of either the district of residence or district of proposed attendance to be a victim of an act of bullying as defined in Education Code 48900(r). Such a student shall be given priority for interdistrict attendance under any existing interdistrict attendance agreement or, in the absence of an agreement, shall be given consideration for the creation of a new permit. (Education Code 46600)
(cf. 5131.2 - Bullying)
2. To meet the child care needs of the student. Such a student may be allowed to continue to attend district schools only as long as he/she continues to use a child care provider within district boundaries.
3. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel.
(cf. 6159 - Individualized Education Program)
4. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance.
5. To allow the student to complete a school year when his/her parents/guardians have moved out of the district during that year.
6. To allow the student to remain with a class graduating that year from an elementary, middle high school.
7. When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the year in the district.
8. When the student will be living out of the district for one year or less.
9. When recommended by the School Attendance Review Board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence.
(cf. 5113.1 - Chronic Absence and Truancy)
10. When there is valid interest in a particular educational program not offered in the district of residence.
11. To provide a change in school environment for reasons of personal and social adjustment.

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The superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district may not deny him/her continued attendance because of overcrowded facilities at the relevant grade level.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Within 30 days of a request for an interdistrict permit, the superintendent or designee shall notify the parents/guardians of a student who is denied interdistrict attendance regarding the process for appeal to the County Board of Education as specified in Education Code 46601. (Education Code 46601)

(cf. 5145.6 - Parental Notifications)

Pending a decision by the two districts or an appeal by the County Board, the superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months. (Education Code 46603)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or decisions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Once a student is admitted to a school on the basis of an interdistrict attendance permit, he/she shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school in which he/she is enrolled, unless reapplication standards are otherwise specified in the interdistrict attendance agreement.

Order of Enrollment

Interdistrict attendance agreements will be approved and students assigned to schools in the following priority order:

1. Students who are currently attending a district school with an interdistrict agreement and satisfactory grades, behavior and attendance will be placed immediately prior to the placement of new intradistrict enrollment approvals.
2. Following the placement of new intradistrict applications, students new to the school who have applied for an interdistrict agreement and have demonstrated satisfactory grades, behavior and attendance in their previous school will be placed (up to state and district enrollment guidelines).
3. For academy schools, students will be admitted only in the case of an exhausted wait list.

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A waiting list shall be established to indicate the order in which students may be accepted as openings occur. Late applicants may be added to the waiting list in the order in which they apply. Children of employees are given priority within any of the above-listed groups.

Interdistrict attendance requests received by the district are granted when conditions listed above have been met. The district will attempt but cannot guarantee to meet interdistrict family requests for specific school placement.

Approval of interdistrict attendance agreements for special education students must include an I.E.P. that addresses the change in placement. Generally, the District considers the student's school of residence to be the least restrictive environment.

Timelines

Applicants who receive approval must confirm their enrollment within ten days of receiving notification. If enrollment is not confirmed, the approval will be considered rejected and the approval will be voided.

Interdistrict attendance requests may be submitted at any time. The District will hold them until higher placement priorities have been met. The District will attempt to notify families in a timely manner regarding the status of their request for the coming school year.

Denial of Interdistrict Transfer Agreements

The superintendent or designee may deny initial requests for interdistrict attendance agreements if the school's facilities are overcrowded at the relevant grade level.

The superintendent or designee shall inform applicants by mail as to whether their applications have been approved, denied or placed on a waiting list. If the application is denied, the reasons for denial shall be stated.

Within thirty (30) days of a denial, the superintendent or designee shall provide parents/guardians of a student who is denied interdistrict attendance a notice regarding the process for appeal to the County Board of Education in accordance with law. (Education Code 46601)

(cf. 5145.6 – Parental Notifications)

Students who are under consideration for expulsion or who have been expelled may not appeal inter-district attendance denials or decisions while expulsion proceedings are pending, or during the term of the expulsion. (Education Code 46601)

(cf. 5119 – Students Expelled from Other Districts)

(cf. 5144.1 – Suspension and Expulsion/Due Process)

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The district may deny a transfer into the district under the district of choice program if:

1. The Board determines that the transfer into or out of the district would negatively impact a court-ordered or voluntary desegregation plan of the district. (Education Code 48301)
2. The transfer into the district would require the district to create a new program to serve that student, except that the district shall not reject the transfer of a student with disabilities or an English learner. (Education Code 48303)