

Martinez USD

Administrative Regulation

Interdistrict Attendance

AR 5117

Students

Interdistrict Attendance Permits

In accordance with an agreement between the Governing Board 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. Approval of a request for interdistrict attendance does not guarantee placement at a specific school.

The Superintendent or designee may approve interdistrict attendance permits for the following reasons: ~~Approval of the request does not guarantee placement at a specific school.~~

1. To allow the victim of an act of bullying, as defined in Education Code section 48900(r), committed by a pupil of the district of residence, as determined by either the district of residence or district of proposed enrollment, and at the request of the person having legal custody of the pupil, to attend a new district. These pupils shall be given priority for interdistrict attendance under any existing interdistrict transfer agreement or, in the absence of an agreement, be given additional consideration for the creation of an interdistrict attendance agreement. When the student has been ~~To provide a change in school environment for reasons of personal and social adjustment. A pupil who has determined by either the district of residence or district of proposed enrollment to have been the victim of an act of bullying, as defined in Education Code section 48900(r), committed by a pupil of the district of residence shall, at the request of the person having legal custody of the pupil, be given priority for interdistrict attendance under any existing interdistrict attendance agreement or, in the absence of an agreement, be given additional consideration for the creation of such an agreement.~~ (Education Code section 46600(b).)(b))

(cf. 5131.2 – Bullying)

2. To meet a child's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel.

(cf. 6159 - Individualized Education Program)

32. When a student has a sibling(s) attending school in the receiving district, to avoid splitting the family's attendance.

43. To allow a student to complete a school year when his/her parents/guardians have moved out of the ~~district~~ District during that year.

45. To allow students to remain with a class graduating that year from an elementary, junior,

or senior high school.

65. To ~~let~~allow high school seniors to attend the same school they attended as juniors, even if their families moved out of the ~~district~~District during the junior year.

76. When the parent/guardian provides written evidence that the family will be moving into the ~~district~~District in the immediate future and would like the student to start the year in the ~~district~~District.

87. When a student will be living out of the ~~district~~District for one year or less.

98. 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**)

109. When there is valid interest in a particular educational program not offered in the ~~district~~District of residence.

110. **To provide a change in school environment for reasons of personal and social adjustment.**

Interdistrict attendance permits or applications shall not be required for students enrolling in a regional occupational center or program. (Education Code 52317)

Interdistrict transfer applications are processed from February 1 - October 15 each year, with the exception of applications to allow a student to complete a school year when his/her parents/guardians have moved out of the district during that year, which may be processed throughout the school year. The Superintendent or designee may make an exception to thise application window for extraordinary circumstances. After the application window, no waitlist will be maintained for applications denied due to lack of space. Secondary students may submit interdistrict transfer applications for enrollment at the second semester.

Every interdistrict attendance permit shall stipulate the terms and conditions under which the permit may be revoked. (Education Code 46600)

Acceptance of Interdistrict requests will be based on the following priority:

1. Student's whose parents/guardians are employees of Martinez Unified School District and whose parents are employed at least ten hours per week within the District boundaries.
2. Student's currently attending Martinez Unified Schools on an interdistrict transfer permit.
3. Students who have siblings that are currently attending Martinez Unified School District schools as-on an interdistrict transfer permit.

4. Students who have been residents of Martinez Unified School District and have recently moved outside the attendance area.

5. Students who are identified as a victim of an act of bullying, as defined in Education Code section 48900(r).

56. New Interdistrict Requests

Revocation of Permits

A student's attendance in the district pursuant to an interdistrict transfer is ~~deemed a privilege, not a right,~~ subject to the ability authority of the Board of Education ~~and to~~ established terms and conditions. The Board ~~may be revoke~~ declares that interdistrict transfer ~~permits may be revoked~~ at any time.

If the Superintendent or designee determines that the student and/or parent/guardian has violated a ~~regulation permitting revocation~~ provision of the interdistrict transfer permit, the Superintendent or designee may revoke the interdistrict transfer permit and the student must return to his or her district of residence. There shall be no right to appeal any revocation of the interdistrict transfer permit. The reasons for revocation may also be considered ~~and may be as a~~ basis for denying future interdistrict transfer requests.

The Superintendent or designee may deny initial requests for interdistrict attendance permits if school facilities classrooms, or programs lack capacity ~~are overcrowded~~ at the relevant grade level or based on other considerations that are not arbitrary or discriminatory. Once a student is admitted, the ~~district district may shall~~ not deny him/her continued attendance ~~because of overcrowded facilities at the relevant grade level related to capacity~~. Students admitted to the ~~district District~~ on an interdistrict transfer are considered District residents ~~of the school~~ for the period of the interdistrict transfer permit. ~~However, A~~ student may be displaced prior to the 30th day of the school year by students who reside in the school's attendance area.

(cf. 0410 – ~~Nondiscrimination~~ Nondiscrimination in District Programs and Activities)

Within 30 calendar days of a request for an interdistrict permit, the Superintendent or designee shall notify the parents/guardianes 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~~ 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~~ rescissions 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. Notwithstanding violations of the interdistrict attendance permit that may result in revocation as described in this policy, Existing interdistrict attendance permits shall not be rescinded for students entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

Criteria for denying or revoking interdistrict attendance agreements may be based on any of the following:

1. Any expellable offense.
2. Any suspendable offense.
3. A grade point average of less than 2.0 on a 4.0 scale overall, or in the previous term.
4. An unsatisfactory attendance record as evidenced by school attendance records, school attendance letters, or a SARB referral.
5. Falsifying information on the interdistrict transfer form.
6. Negative financial impact on the ~~district~~District.
7. The transfer would cause or contribute to the ~~district's~~District's enrollment figures exceeding capacity.
8. The transfer would require the ~~district~~District to create a new program or provide new servicess to serve the student.
9. The D~~district~~ of student's residence has denied the transfer request.

Transfers Out of the District

A student whose parent/guardian is in active military duty shall not be prohibited from transferring out of the ~~district~~District, provided the school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48307)

The ~~district~~District may limit transfers out of the ~~district~~District to a school district of choice under any of the following circumstances: (Education Code 48307)

1. The number of student transfers out of the district to a school district of choice has reached the limit specified in Education Code 48307 based on the district's average daily attendance.
2. The County Superintendent of Schools has given the district a negative budget certification or has determined that the district will not meet the states' standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice.

Transportation

The ~~district~~District shall not provide transportation outside the school's attendance area.

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