

# Arcadia USD

## Board Policy

### Students

#### Interdistrict Attendance

**BP 5117**

The Governing Board recognizes that parents/guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

*(cf. 5111.1 - District Residency)*

*(cf. 5116.1 - Intradistrict Open Enrollment)*

#### Interdistrict Attendance **Agreements and Permits**

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed upon by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

#### Transportation

The district shall not provide transportation to students with an interdistrict attendance permit, **unless upon parent/guardian request, and pursuant to Education Code 46600 requirements.** (Education Code 46600)

*(cf. 3553 - Free and Reduced Price Meals)*

**In addition, upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for any interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.**

## **Conditions for Approval of Interdistrict Attendance**

**A student residing outside of the district's attendance may only be approved for an interdistrict attendance permit and enrolled in the district under this Board Policy if the student has met all of the following conditions:**

- 1. There is adequate space in the age/grade level that meets the student's educational needs and class sizes are not affected pursuant to the district's established class size and staffing in the year enrollment is being requested. An interdistrict permit may be denied when the student's enrollment creates a situation where class sizes or service caseloads exceed the standards set by the district and the Governing Board; and**
- 2. Enrollment would not result in the creation of a new program or increased staffing at additional cost to the district; and**
- 3. The student's academic achievement, citizenship, behavior and attendance meet the district's standards.**

## **Interdistrict Attendance Priority Categories**

**The superintendent or designee may approve an interdistrict attendance permit if the conditions listed above are met, the priority window in which the interdistrict attendance permit was submitted, and based on the following priority of acceptance categories:**

### **Priority 1: Parent Employment in the Arcadia Unified School District (AUSD)**

**Employees of the district will be prioritized for approval of an interdistrict attendance permit. Employees may submit an AUSD interdistrict permit application without a release from their district of residence and may be approved contingent on the student being released from their district of residence. The student may be allowed to remain enrolled in the district throughout all levels of appeal if approved by the superintendent or designee.**

### **Priority 2: Family Legacy in the District**

**An interdistrict attendance permit may be approved to a student: (A) whose parent has attended one or more district schools for a minimum of four years, and (B) whose grandparent is currently and has been residing in the district boundaries without interruption for a minimum of ten years.**

**In order to be considered as a legacy family, proof of (A) previous parent enrollment in the district for the required amount of time and (B) grandparent residency shall be required and attached to the interdistrict attendance permit application. The Superintendent or designee shall verify that the attachments meet the requirement and has sole authority to approve or deny family legacy priority.**

### **Priority 3: Non-District Residents**

**The Superintendent or designee may approve an interdistrict attendance permit for a student for any of the reasons stipulated in Administrative Regulation AR 5117.**

**If a student submitting an application for interdistrict attendance is a victim of bullying pursuant to education code and AR5117, priority is given to these students.**

## **Denial of an Interdistrict Attendance Permit**

**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, not meeting the conditions established in the policy, 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 calendar 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 following the denial and appeals process outlined in Administrative Regulation AR 5117.**

Legal Reference:

### **EDUCATION CODE**

*8151 Apprentices, exemption from interdistrict attendance agreement*

*41020 Annual district audits*

*46600-46610 Interdistrict attendance agreements*

*48204 Residency requirements for school attendance*

*48300-48317 Student attendance alternatives, school district of choice program*

*48900 Grounds for suspension or expulsion; definition of bullying*

*48915 Expulsion; particular circumstances*

*48915.1 Expelled individuals; enrollment in another district*

*48918 Rules governing expulsion procedures*

*48980 Notice at beginning of term*

*48985 Notices to parents in language other than English*

*52317 Regional occupational center/program, enrollment of students, interdistrict attendance*

### **CALIFORNIA CONSTITUTION**

**Article 1, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin**

### **COURT DECISIONS**

**Walnut Valley Unified School District v. the Superior Court of Los Angeles County (2011)  
192 Cal.App.4th 234**

**Crawford v. Huntington Beach Union High School District (2002) 98 Cal.App.4th 1275**

### **ATTORNEY GENERAL OPINIONS**

**87 Ops.Cal.Atty.Gen. 132 (2004)**

**84 Ops.Cal.Atty.Gen. 198 (2001)**

## Management Resources:

### WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

~~41020 Annual district audits~~

~~46600-46611 Interdistrict attendance agreements~~

~~48204 Residency requirements for school attendance~~

~~48300-48317 Student attendance alternatives~~

~~48350-48361 Open Enrollment Act~~

~~48900 Grounds for suspension or expulsion; definition of bullying~~

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