

# Scotts Valley Unified School District

## Administrative Regulation

### Interdistrict Attendance

AR 5117

#### Students

After anticipated enrollment of current residents for the transfer year has been determined, 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. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance.

4. To allow the student to complete a school year when his/her parents/guardians have moved out of the district during that year, or when the student will be living outside of the district of residence for one year or less.

5. To allow the student to remain with a class graduating that year from an elementary, middle, or senior high school.

6. To allow a high school senior to attend the same school he/she attended as a junior, even if his/her family moved out of the district during the junior year.

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

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

10. 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)

11. When the transfer would be in the best interest of the student and the district as determined by the Superintendent or designee, based on any lawful, non-arbitrary considerations.

If the application is granted, the Superintendent or designee shall issue an interdistrict attendance permit setting forth the terms and conditions of the student's enrollment in the district, including bases for revocation of the permit, as described in this Regulation.

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

#### Bases for Denial of Application

In accordance with applicable law, the Superintendent or designee may deny an application for an interdistrict attendance permit on any of the following bases:

1. If capacity has been reached in the relevant grade or program based on the actual enrollment figures of current residents and continuing students for the requested transfer year, or the anticipated enrollment figures available as of February 1, or the date of the application, whichever is later, for transfers to take effect in the next school year.

For all student programs, capacity for interdistrict transfer purposes shall be when the school's enrollment at the relevant grade level reaches ninety-two percent (92%) of capacity, or when the school's total enrollment reaches ninety-two percent (92%) of capacity.

For Special Education Classes and Programs:

A Resource Specialist Program (RSP)/Specialized Academic Instruction/Mild to Moderate Needs, will be considered at capacity for Interdistrict Transfer Application purposes either when the case carrier's caseload reaches a student:case carrier ratio of 22:1, or the requested grade is at capacity at the requested school.

A Special Day Class (SDC) Program/Specialized Academic Instruction/Moderate to Intensive Needs, will be considered at capacity for Interdistrict Transfer Application purposes either when enrollment in the program at the requested grade reaches a student:teacher ratio of 8:1, or the requested grade is at capacity at the requested school.

As the District establishes new or different classes or programs for which a capacity limit is not included herein, it may establish appropriate capacity, for Interdistrict Transfer Application purposes, for any such class or program.

Capacity limits are intended to allow space for new resident growth. These capacity limits are intended to allow space for District residents who enroll during the summer or enroll in the program(s) during the school year.

If the number of pending Applications exceeds capacity in a grade or program, the order of consideration will be as follows:

- A. First priority consideration will be given to Applications for students who have been the victim of bullying in accordance with Education Code section 48900(r).
- B. Second priority consideration will be given to Applications for students who have been enrolled in the district in the school year immediately preceding the requested year of transfer.
- C. Third priority consideration will be given to Applications for students who have one or more siblings currently enrolled in the district.
- D. Fourth priority consideration will be given to Applications for students who have one or more parents employed by the District.

After applying the priorities set forth above, in the event of a tie, a lottery will be held to determine the relative priority of the applications. Upon reaching capacity in a particular grade or program, the Superintendent or designee shall send to the parents/guardians a Notice of Decision denying their Application and advising that their student's name will be placed on a waiting list unless the parents/guardians request otherwise.

2. The attendance of the student would increase the District's class size above the maximums established by the State of California or above the maximums set in a negotiated teacher contract or would place the District at risk of violating such standards, or, in the case of middle or high schools, enrollment would interfere with the appropriate scheduling of the student or other students, as determined by the Superintendent or designee.

3. The district does not have an appropriate educational program to meet the student's needs.

4. The student's school records for the preceding 12-month period reflect unsatisfactory attendance, which may include, but is not limited to, a total of three (3) or more unexcused absences and/or unexcused tardy arrivals, or a total attendance rate of less than ninety percent (90%).

5. The student's school records for the preceding 12-month period reflect unsatisfactory academic performance, which may include, but is not limited to, grades that do not "meet standards" in the majority of student's subject areas/courses of study; unexcused, inconsistent completion of homework; regularly coming to class unprepared without an excusable reason; or a failure to maintain a grade point average of at least a 2.0.

6. The student's school records in the preceding 12-month period reflect unsatisfactory behavior which may include, but is not limited to, a history of disciplinary referral(s), detention(s), suspension(s), recommendation(s) for expulsion, or expulsion(s).
7. The Application is incomplete or contains information that is false or misleading.
8. The welfare of the student and/or of other students is compromised or endangered. This may include, but is not limited to, lack of before school or afterschool care.
9. The governing boards of the district and the student's district of residence have not entered into an interdistrict attendance agreement. (Education Code 46600)
10. The denial would be in the best interests of the District as determined by the Superintendent or designee based on any lawful, non-arbitrary considerations.

If an Application is denied by the Superintendent or designee, the parents/guardians of the student may appeal to the County Board of Education within 30 days. 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/DueProcess)  
(cf. 5145.6 - Parental Notifications)

#### Bases for Revocation/Termination of Interdistrict Attendance Permit

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

An interdistrict attendance permit may be revoked by the Superintendent or designee for any of the following reasons:

1. Unsatisfactory academic performance (as defined above under Bases for Denial) at the district.
2. Unsatisfactory attendance (as defined above under Bases for Denial) at the district.
3. Providing incomplete, false or misleading information on the Application.
4. Repeated disruptive or otherwise unsatisfactory conduct in violation of Education Code sections 48900 et seq.
5. Suspension from the district as authorized by Education Code sections 48900 et seq.
6. Recommendation for expulsion or expulsion from the district as authorized by

Education Code sections 48900 et seq.

7. The welfare of the student and/or of other students is compromised or endangered. This may include, but is not limited to, lack of before school or afterschool care.

8. Any other lawful, non-arbitrary basis for the district to conclude it would be in the best interest of the student, the student's school, or the district for the interdistrict attendance permit to be revoked.

If an interdistrict attendance permit is revoked by the Superintendent or designee, the parent/guardian of the student may appeal to the Director of Student Services for further consideration. An appeal must be submitted in writing to the Director of Student Services and received in the District Office on or before the fifth calendar day following the date of the Notice of Revocation, excluding Saturdays, Sundays and days when the District Office is closed, or the right to appeal shall be deemed waived.

#### Application Procedures and Timeline

An interdistrict attendance enrollment period for the subsequent school year will be defined by the Superintendent or designee each school year. During this period, a student may apply to attend a school in the district, pursuant to the procedures in this section.

1. The Superintendent or designee shall identify those schools which may have space available for additional students. A Request for Interdistrict Attendance Permit application shall be available at the district office and on the district's website. The Superintendent or designee will identify available space at each school based on the program capacity of the school, as established by the Board of Education, and the school's expected enrollment of resident students.

2. All applications for interdistrict attendance permits must be approved by the student's district of residence prior to submission to the district.

3. Parents/Guardians should submit applications for interdistrict attendance permits to the District Office during the interdistrict attendance enrollment period for the requested year of enrollment. Applications submitted outside of these dates may be denied. Applications should include a "School Districts of Santa Cruz County Request for Interdistrict Attendance Permit" application, a copy of the student's current transcript, a copy of student's attendance report for the prior twelve (12) months, a discipline summary, and a copy of the student's Section 504 Plan or Individualized Education Program (IEP), if applicable.

4. No later than thirty (30) calendar days after receipt of a completed application for interdistrict attendance permit, the Superintendent or designee shall provide written notification by mail to applicants 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.

5. Approved applicants must confirm their enrollment within 5 school days of receipt of

the notification letter by bringing the notification letter to the school at which the student will be transferring and completing the registration process. Failure to complete the registration process at the school at which the student will be transferring by end of the regular school year will cause the student's space to be relinquished.

6. Once enrolled in a school through an interdistrict attendance permit, a student shall be required to reapply for readmission on a yearly basis. As indicated above, such students will receive priority in the application process.

7. The District reserves the right to change the elementary school of enrollment of a child enrolled through an interdistrict attendance permit between school years in order to make space in a school or program for a student who is a resident of the district.

8. A student who is enrolled in the District as his/her district of residence, but who moves out of the geographical boundaries of the District during the course of a school year may apply for interdistrict transfer upon his/her move, irrespective of the timelines described in this Regulation.

Transportation

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

Policy

approved:

revised:

November 13, 2007

April 28, 2009, May 11, 2010, March 22, 2011, November 13, 2012, XXXXXX

**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**

Scotts Valley, California