

Regulation 5117: Interdistrict Attendance

Status: ADOPTED

Original Adopted Date: 11/09/2017 | **Last Revised Date:** 04/18/2019 | **Last Reviewed Date:** 04/18/2019

Students residing outside the boundaries of the district may, in limited circumstances, be permitted to transfer to a school in the district through approval of an Interdistrict Attendance Agreement/Permit. The interdistrict transfer processes is governed by laws and procedures as described below.

Interdistrict Transfer Agreements and Permits

The Governing Board may enter into Interdistrict Transfer Agreements with other school districts to provide for the transfer of students between the districts, subject to the terms and conditions established by such districts. (Education Code 46600 et seq.)

The Board had determined that transfers approved under this method will be limited to three specific circumstances:

1. In situations of extreme need
2. For children of certain district employees, as described below
3. For students who move out of the district after April 1, for the limited purpose of allowing the student to complete the school year in the district

Students

1. **Extreme Need.** The district may approve an Interdistrict Transfer Permit application on the basis of extreme need. The following are reasons a student may be provided an Interdistrict Transfer Permit, but only if the Superintendent or designee determines that circumstances constitute extreme need:
 - a. 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)
 - b. To meet a child's special mental or physical health needs, as certified by a physician, school psychologist or other appropriate school personnel.
 - c. When the student is temporarily displaced and will be living out of the district less than one school year.
 - d. 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.
 - e. To provide a change in school environment for reasons of academic or personal and social adjustment. These cases must have sufficient verification by the school authorities of both the district and the district of residence.
 - f. When the student is a victim of a violent crime that occurred while on school grounds. The student is only eligible if there are no other schools within the district of residence where the student may be transferred.
2. **District Employees.** Regardless of whether there is an extreme need, the district may also approve Interdistrict Transfer Permits for the following:
 - a. Children of all district certificated employees who are afforded interdistrict transfer rights in the collective bargaining agreement.
 - b. Children of district classified employees with contracts providing for at least 30 hours per week.
3. **Moves Outside District.** Regardless of whether there is an extreme need, the district may also approve

Interdistrict Transfer Permits for children whose parents/guardians have moved out of the district on or after April 1, for the limited purpose of completing that school year in the district.

Limitations, Procedures and Appeals

An Interdistrict Transfer Permit shall be valid only for the limited period of time specified on the permit, and may be revoked by the district because of excessive truancy or continual disruption of the educational program.

A parent/guardian seeking an Interdistrict Transfer Permit for their child shall submit a completed application to the district for review by the Superintendent's designee. For current school year requests, a final decision must be provided to the parents within 30 days from the date of receipt of the request. For future year requests, a final decision is required as soon as possible, but no later than 14 calendar days following the beginning of the school year for which enrollment is sought. If the Superintendent's designee denies the request, the parent/guardian may appeal that decision to the Superintendent within five days, who shall review the appeal and render a decision. The Superintendent's decision shall be deemed the final decision of the district. The Board expressly delegates to the Superintendent the authority to make the final decision on behalf of the Board with respect to Interdistrict Transfer Permit requests.

The parent/guardian of a student who is denied an Interdistrict Transfer Permit shall receive timely notice, within 30 calendar days of the initial request, in accordance with Education Code 46601, regarding the process of appeal to the County Board of Education. Appeals shall be filed with the County Board of Education by the parent/guardian within 30 calendar days of being denied an Interdistrict Transfer Permit by the district. Failure to appeal within the required time, or failure to exhaust appeals within the district, is good cause for denial of an appeal by the County Board of Education.

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.

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. (Education Code 46600)
