

**Nuestro Elementary School District
Board Policy 5125
INTERDISTRICT ATTENDANCE**

The Governing Board (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.

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 to 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 between the districts.

Requests for school attendance in the District for students living outside the District may be approved subject to the following conditions and considerations:

- 1) The Superintendent may approve permits for school attendance in the district for children living outside district boundaries on a space available basis. In the sole discretion of the District, waiting lists may be established which record, by date stamp, the date applications for interdistrict attendance are received by the District.
- 2) All interdistrict attendance agreements must be renewed each year prior to the start of school. The District reserves the right to require a meeting of interdistrict parents/guardians will be held prior to the interdistrict acceptance. This meeting may be scheduled prior to the attendance year requested.
- 3) Students whose applications for interdistrict attendance are approved will be enrolled in the following order of preference:
 - a. At the request of the parent, a Student who has been determined by personnel of either the school district of residence or the school district of proposed enrollment to have been the victim of an act of bullying, as defined in subdivision (r) of Education Code section 48900. (Education Code 46600(b).)
 - b. Children of employees.
 - c. Out-of-district students who are renewing their prior year's agreement.
 - d. Out-of-district students who resided in the District the previous year and who attended Nuestro Elementary.
 - e. Kindergarten siblings of the out-of-district student who have had their prior year's interdistrict attendance agreement renewed.
 - f. Siblings of the out-of-district students who resided in the District the previous year, attended Nuestro Elementary, and whose interdistrict attendance agreement has been approved.

- g. Out-of-district students who are applying for an interdistrict attendance agreement and who did not attend Nuestro Elementary the previous year.
- h. Out-of-district students who attended Nuestro Elementary and during attendance left to attend school of residence or another school.
- i. Out-of-district student who turned down an offer to attend Nuestro Elementary, but later wishes to attend Nuestro Elementary.
- j. Transitional Kindergarten (“TK”) siblings of the out-of-district student who have had their prior year's interdistrict attendance agreement renewed.
- k. The childcare needs of students requesting interdistrict attendance agreements may also be considered.

When space becomes available in the classroom for the siblings of students who are attending or will be attending Nuestro Elementary on an interdistrict attendance agreement, the Superintendent will determine which siblings will also be eligible for enrollment by interdistrict transfer. If space is not available for all eligible siblings, enrollment will be determined by the order eligible siblings, with applications received by the District, were placed on the waiting list. When interdistrict attendance agreements have been received on the same date for the same place in the class, a lottery will take place. The procedure for such a lottery will be:

- 1) Names to be placed in a bowl at a public meeting.
- 2) The Board president will draw names, one at a time, during the public meeting to fill available slots.

Interdistrict

Terms or Conditions for Denying a Transfer

An interdistrict attendance agreement may not be granted if:

- 1) The District may be required to expand its programs or offer new educational services to the student;
- 2) School facilities are overcrowded at the relevant grade level;
- 3) District resources are limited;
- 4) The student has a history of failing to meet reasonable standards of behavior, attendance, or diligence to academics or based on any other consideration so long as it is not arbitrary.

Transportation will not be provided to students attending the District on an interdistrict attendance agreement unless otherwise required by law.

The District shall not discriminate against any person applying for an interdistrict attendance permit based on any protected class under state or federal law.

The Superintendent shall inform the Board of all interdistrict attendance agreements at the Board meeting following recommendation of any such agreement.

Limitations on Acceptance of Interdistrict Transfers

As a general rule, the guideline for class size, total in combination classes, will be 20. However, this guideline may be adjusted based upon the recommendation of the Superintendent/Principal. To remain compliant with Local Control Funding Formula Guidelines, the average K-3 class size will not exceed 24 pupils. No new interdistrict

agreements will be granted that would cause the District to exceed the conditions of receiving the K-3 Grade Span Adjustment criteria.

Appeals of Denial of Inter-District Attendance to the School District Governing Board

Decisions by the Superintendent/Principal regarding interdistrict attendance shall be final unless appealed to the District's Board. If appealed to the Board, the decision of the Board regarding interdistrict attendance shall be final unless appealed to the County Office of Education. A parent/guardian may appeal to the Board by submitting a written appeal to the Superintendent/Principal within 8 calendar days of the date on the notice that the request was denied. The appeal will be heard in closed session at the next regularly scheduled board meeting unless the parent/guardian requests, at least 5 days prior to the Board meeting, to have the appeal heard in open session. (Ed. Code § 35146.)

It is the parent/guardian's responsibility to comply with compulsory attendance laws while the decision is being appealed.

Pupils who are under consideration for expulsion, or who have been expelled pursuant to Education Code Sections 48915 and 48918, may not appeal interdistrict attendance denials or rescissions while expulsion proceedings are pending, or during the term of the expulsion. (Ed. Code § 46601(b)(4).)

Appeals of Denial of Inter-District Attendance to the County Board of Education

Parents may appeal the District's denial of a request for interdistrict transfer, within 30 calendar days of the date of the District's final denial, to the County Board of Education.

Before appealing to the county board of education, the appeals process within the District must have been exhausted within the timelines provided in this Policy previous section.

Revocation of Interdistrict Attendance Agreement

An interdistrict attendance agreement may be revoked due to any violation of the terms and conditions set forth in the *Nuestro Elementary School District Agreement for School Attendance – Interdistrict Students* or any other term included in an agreement between the District and another district for interdistrict attendance.

Appeals of Revocation of Interdistrict Attendance

A parent/guardian may appeal the District's revocation of interdistrict attendance by filing a written request of appeal with the District within 10 calendar days of the date of the written notification of revocation.

The Board will hear that appeal at the next regularly scheduled Board meeting so long as the appeal request is received more than 72 hours prior to the regularly scheduled Board meeting. If the appeal request is received within 72 hours of the next regularly scheduled Board meeting, the appeal will be heard at the regularly scheduled Board meeting that immediately follows. If the Board overturns the Superintendent's or designee's revocation of the permit on appeal, the student shall be readmitted.

It is the parent/guardian's responsibility to be compliant with mandatory attendance laws while the decision is being appealed.

A parent/guardian may not appeal the District's final decision to revoke an Interdistrict Attendance Agreement to the county board of education. (Education Code 46600.1(d)(2)(B).)

To submit an appeal of a revocation to the Board, the parent/guardian shall submit the following to the Superintendent. If the parent/guardian fails to provide all necessary documentation, or if the parent/guardian fails to timely request the appeal, the appeal shall be deemed abandoned, and therefore, denied.

- 1) A copy of the documentation revoking the interdistrict attendance permit.
- 2) A written statement of the basis for which the parent/guardian believes the revocation should be reversed by the Board.
- 3) A copy of the student's most recent grades, attendance, and disciplinary history during the prior school year.
- 4) Any other evidence the parent/guardian wishes for the Board to consider.

If the parent/guardian is unable to access any of the above records, the parent/guardian may make a written request to the Superintendent or designee for the specified records at least 5 business days before the Board meeting at which the appeal shall be heard.

Legal Reference:

Interdistrict Attendance Agreements:
Education Code Sections 46600-46610

Residence Requirements for School Attendance:
Education Code Sections 48204(b)

Adopted by the Board: January 31, 1996
Revised by the Board: November 18, 1996
Revised by the Board: April 20, 1999
Revised by the Board: April 15, 2014
Revised by the Board: May 16, 2017
Revised by the Board: August 19, 2025

NUESTRO ELEMENTARY SCHOOL DISTRICT
PERMIT FOR SCHOOL ATTENDANCE

INTERDISTRICT STUDENTS

This agreement follows Board Policy 5125, adopted by the Board on January 31, 1996 and revised on November 18, 1996, April 20, 1999, and August 19, 2025.

This agreement for an interdistrict attendance permit is by and between the Nuestro Elementary School District and _____ the parent or guardian (Parent) of _____, an elementary school student. It is the desire of the parent that the student be allowed to attend school in the Nuestro Elementary School District under the interdistrict attendance provisions of the California Education Code and District Board Policy 5125. Parent understands that the attendance of the student is on the terms and conditions set forth below, including the terms and conditions of any other District guidance such as the *Interdistrict Attendance Procedures, Timelines, Criteria, and Policy*, and *Nuestro Elementary School Board Policy 5125, Interdistrict Attendance*, and that any violation of these terms and conditions may result in the immediate revocation of this permit and a denial of attendance in any and all schools within the District.

1. This Permit may be revoked if a parent or student is uncivil, inappropriate, aggressive, or otherwise disrespectful to administration, staff, students, or other parents. The District supports free speech and expression related to District programs, and provides for open communication regarding questions or concerns about District programs, curriculum, staffing, and all other aspects of the educational program. However, inappropriate, uncivil, threatening, or disrespectful behavior will not be tolerated and may result in revocation of this interdistrict permit agreement.
2. This Permit may be revoked if a parent is uncivil or creates an uncivil, threatening, harassing, or hostile environment in the classroom or outside of class regarding complaints about staff, parents, students, or District programs. In the interest of maintaining civility among the District community, complaints of staff, students, parents, or any other aspect of the District programs shall be directed to the Superintendent or designee, and not to other staff or parents.
3. The student shall cooperate with the teachers, administration, other students, and support staff and will not cause any disruption either in the classroom or outside of class. The student shall obey all school rules and shall not commit any violations of the Education Code or District policy that may result in a suspension or expulsion. This Permit will automatically be revoked if a student receives two suspensions in one year for any reason. (Suspension is defined as being suspended from the classroom for one or more days, either being sent home or staying in the office under the supervision of the Superintendent).
4. The student will have no more than two unexcused absences in any one trimester. If there are more than two unexcused absences in any one trimester, it may be cause for immediate revocation of this Permit.

5. This Permit may be revoked if a student has excessive tardiness (averaging more than one per week). (Tardiness is defined as being late to school or a class period by more than 30 minutes.)
6. This Agreement may be revoked at any time if another student moves into the boundaries of the Nuestro Elementary School District and would cause the class to exceed the enrollment (Kindergarten through eighth) set forth by Board Policy.
7. The student must continually demonstrate passing scholastic achievement.
8. Prior to the start of school, a mandatory meeting of interdistrict parents/guardians may be held.

Parent Civility and Support Commitment

In addition to the terms and conditions set forth above, I, _____, the parent or guardian of _____, for the purpose of fostering a conducive learning environment in the Nuestro Elementary School District, will do the following:

1. Treat all school and district staff, as well as other parents and students, with respect and courtesy, even in times of disagreement.
2. Communicate concerns regarding staff directly through the appropriate channels, such as the Superintendent, and not to other staff or parents.
3. Communicate concerns and questions in a constructive and solution-focused manner, avoiding personal attacks, threats, or hostile language.
4. Respect the professional roles and responsibilities of teachers and school staff.
5. Model appropriate behavior for students, reinforcing the values of collaboration, empathy, and community.
6. Ensure my child maintains regular and timely attendance, avoiding unexcused absences and excessive tardiness.
7. Support my child's academic and behavioral success by encouraging consistent effort, monitoring progress, and partnering with teachers when concerns arise.

Parent Signature _____

Date _____

Student Civility Commitment

I, _____, for the purpose of fostering a conducive learning environment amongst my peers in the Nuestro Elementary School District, understand and will do the following:

1. Conduct myself in a respectful, responsible, and cooperative manner at all times.
2. Treat all school and district staff, as well as other parents and students, with respect, courtesy, and kindness, even when I am upset or in disagreement.
3. Communicate concerns in a calm and appropriate way through the proper school channels when I need support or have a problem.
4. Not use threatening, abusive, or disrespectful language and behavior under any circumstances.
5. Obey all school and District rules at all times, both in the classroom and while on any District campus.

6. Avoid engaging in behavior that could result in disciplinary action, including suspension or expulsion.
7. Avoid disrupting or interfering with the classroom environment, including the teacher's instruction and peers' learning.
8. Arrive at school and each class on time, prepared to learn.
9. Avoid unexcused absences and excessive tardiness, understanding that regular attendance is essential to my success.
10. Put forth my best effort in all classes, complete my assignments, and seek help when I need support.

Student Signature

Date