

**INTERDISTRICT ATTENDANCE APPEAL PROCESS**

When a school district within the jurisdiction of the Yolo County Board of Education denies a request for or otherwise fails to issue an interdistrict transfer to a student who resides in the district and seeks to enroll in another district or has requested to transfer into the district, the student's parent/guardian/educational rights holder may appeal the decision to the Yolo County Board.

Such an appeal shall be filed in writing within 30 calendar days of the district's final decision. (Education Code 46601)

If an appeal is not filed within the required 30 calendar days, the Yolo County Superintendent of Schools may immediately reject the appeal on behalf of the Yolo County Board. Alternatively, the Yolo County Superintendent may recommend that the Yolo County Board still consider the appeal, in which case the Yolo County Board may agree to consider such an appeal for good cause.

In addition, the County Board shall not consider appeals of any of the following: (Education Code 46601, 46600.1) An interdistrict transfer request that was deemed abandoned due to the parent/guardian/educational rights holder's failure to meet district timelines

1. An interdistrict transfer request that was deemed abandoned due to the parent/guardian/educational rights holder's failure to meet district timelines
2. An existing interdistrict transfer permit that has been revoked or rescinded in accordance with the policy of the district's board
3. The denial of a request by the district of proposed enrollment when no permit has first been issued by the district of residence
4. An interdistrict transfer request submitted for a student who is being considered for expulsion or is expelled from a district pursuant to Education Code 48915 or 48918

Upon receipt of an appeal, the Yolo County Superintendent or designee shall investigate to determine whether local remedies in the matter have been exhausted and to provide any additional information deemed useful to the Yolo County Board in reaching a decision. (Education Code 46601)

The Yolo County Superintendent of Schools shall develop a form and process for a parent/guardian/educational rights holder to submit such an appeal. The parent/guardian/educational rights holder may include written statements and documentation as part of the appeal form submission, but may not subsequently provide additional written statements and documentation unless required by law. (Education Code 46601)

### **Hearing**

Prior to making a determination on an appeal, the Yolo County Board shall hold one or more hearings at which the district(s) and the student's parent/guardian/educational rights holder will have an opportunity to be heard and present their positions.

For any hearing that is held, the Yolo County Superintendent shall notify the parent/guardian/educational rights holder of the date, time, and location of the hearing at least 10 calendar days prior to the hearing.

The parent/guardian/educational rights holder or the district may request a postponement of a hearing, and the County Superintendent shall determine whether to grant the request based on good cause. (Education Code 46601)

Each hearing shall include translation as required by law. Additionally, any hearing shall ensure that the parent/guardian/educational rights holder and the district have the opportunity to be heard and shall be sufficiently informal to encourage open communication and understanding of the appeal process. A parent/guardian/educational rights holder may be represented by legal counsel at each hearing.

### **OPTION 1: Class 1 or Class 2 Counties (Hearing Officer)**

The Yolo County Board shall, within 30 calendar days after an appeal is filed, determine whether to permit the student to attend the district of proposed enrollment and the applicable period of attendance. However, the Yolo County Board may extend this timeline by up to 30 calendar days if one or more of the following circumstances apply: (Education Code 46601)

1. A delay in response by the parent/guardian/educational rights holder or district
2. A delay due to incompatible availability for a hearing of the parent/guardian/educational rights holder or district or the inability of the parent/guardian/educational rights holder to attend a hearing
3. A request to delay a hearing by the parent/guardian/educational rights holder

4. A district has closed its annual application window and is no longer accepting permit applications for the remainder of the current or future school year

There shall be a hearing officer render a recommendation to the Yolo County Board on each appeal. The Yolo County Superintendent shall select the hearing officer, provided that the hearing officer is not a member of the Yolo County Board or employed by the district of residence or the district of proposed enrollment. The Yolo County Board shall render a final decision within 10 calendar days of receiving the recommendation, or sooner if required by the 30- or 60- day deadline. (Education Code 46601)

#### **OPTION 1 ENDS HERE**

#### **OPTION 2: Class 1 or Class 2 Counties (Administrative Panel)**

The Yolo County Board shall, within 30 calendar days after the appeal is filed, determine whether to permit the student to attend the district of proposed enrollment and the applicable period of attendance. However, the Yolo County Board may extend this timeline by up to 30 calendar days if one or more of the following circumstances apply: (Education Code 46601)

1. A delay in response by the parent/guardian/educational rights holder or district
2. A delay due to incompatible availability for a hearing of the parent/guardian/educational rights holder or district or the inability of the parent/guardian/educational rights holder to attend a hearing
3. A request to delay a hearing by the parent/guardian/educational rights holder
4. A district has closed its annual application window and is no longer accepting permit applications for the remainder of the current or future school year

There shall be a three-person administrative panel to render a recommendation to the Yolo County Board on each appeal. The Yolo County Superintendent shall select the members of the panel, each of whom must hold the necessary certificate. However, no member of the panel may be a member of the Yolo County Board or employed by the district of residence or the district of proposed enrollment. The Yolo County Board shall render a final decision within 10 calendar days of receiving the recommendation, or sooner if required by the 30- or 60- day deadline. (Education Code 46601)

#### **OPTION 2 ENDS HERE**

**OPTION 3: All Other Counties**

The Yolo County Board shall, within 30 calendar days after the appeal is filed, determine whether the student should be permitted to attend the district of proposed enrollment and the applicable period of attendance. However, in no event shall the Yolo County Board render a decision more than three (3) school days after any hearing conducted by the Yolo County Board unless the parent/guardian/educational rights holder requests a postponement. The Yolo County Superintendent shall determine whether to grant such a request for postponement. (Education Code 46601)

The hearing shall be conducted in open session except when any information to be presented about the student is determined by the Yolo County Superintendent or designee prior to the hearing to be confidential information. The Yolo County Board may also decide at any time during open session to reconvene in closed session if necessary to protect confidential information about the student that may be presented during the hearing.

Regardless of whether the hearing is conducted in open or closed session, any action related to the hearing shall be taken in open session and shall be a matter of public record. No information shall be released in violation of student privacy rights provided in law. (Education Code 35146; 20 USC 1232)

**OPTION 3 ENDS HERE**

A single joint hearing may be held for a family with multiple appeals. Regardless of the hearing format, the County Board may decide to issue a joint decision or more than one decision.

**Final Decision**

The Yolo County Board may extend the deadline to render a decision by up to an additional five school days for good cause. Additionally, the Yolo County Board may permit additional continuances for good cause. (Education Code 46601)

The County Board shall either grant or deny an appeal on its merits. However, if new evidence or grounds for the request are introduced, the Yolo County Board may remand the matter to the district for further consideration. (Education Code 46601)

The Yolo County Superintendent shall ensure that notice of the Yolo County Board's decision is delivered to the parent/guardian/educational rights holder and to the district by regular mail, email, or any other method normally used to communicate with the parent/guardian/educational rights holder in writing. Any notice shall comply with the translation requirements in Education Code 48985. (Education Code 46602)

When the Yolo County Board determines that the student should be permitted to attend school in the district of proposed enrollment, the Yolo County Board shall also determine the applicable period of attendance and the student shall be admitted to a school in that district without delay. (Education Code 44601, 46602)

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
Ed. Code 35146	Closed sessions; student matters
Ed. Code 46600-46610	Interdistrict attendance agreements
Ed. Code 48204	Residency requirements for school attendance
Ed. Code 48209-48209.17	Student attendance alternatives
Ed. Code 48660-48666	Community day schools
Ed. Code 48900-48926	Suspension and expulsion
Ed. Code 48919.5	Defining class 1 and class 2 counties
Ed. Code 49073-49079	Privacy of student records
Gov. Code 11455.20	Contempt
Gov. Code 27720-27728	Hearing officer
Gov. Code 54950-54963	<u>The Ralph M. Brown Act</u>

<b>Federal</b>	<b>Description</b>
20 USC 1232	Access to student records

**Cross References**

<b>Code</b>	<b>Description</b>
9000	<u>Role Of The Board</u>
9000-E(1)	<u>Role Of The Board</u>

9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>

## INTERDISTRICT ATTENDANCE APPEAL HANDBOOK

### County Board Authority

The Yolo County Board of Education has legal authority to review the procedures and reasoning followed by the school district (s) after the school district (s) have rejected or failed to rule on a student's interdistrict attendance request. The County Board will determine whether to grant or deny an interdistrict attendance agreement after reviewing the relevant facts from the student, parent/guardian, and local school district(s) involved.

### Limitations on County Board Authority

There are limits on the types of appeals the County Board can hear. For example, the County Board has no authority to consider the following interdistrict attendance appeals or issues:

1. To determine the specific school within the school district where the student will be enrolled. This authority is reserved for the school district of attendance, after the County Board has made its final decision;
2. Denial of an interdistrict transfer request based upon parent employment within the district (Education Code 48204(f), commonly referred to as "Allen Bill Transfers"). *Your recourse for denial of attendance is to go to court;*
3. Denial of an interdistrict transfer request by a student under consideration for expulsion or who has been expelled [Education Code 46601(e)];
4. Denial of an intradistrict transfer between schools within the same district (Education Code 35160.5(b));
5. A dispute over the placement of a special education student or the services provided to a special education student. Such a dispute should be handled by the district of residence through special education procedures (Education Code 56505(g)-(i); 20 U.S. Code 1415(f)); or
6. A determination by a school district regarding the validity or invalidity of a caregiver affidavit (Education Code 48204(d) and Family Code 6550, et seq.).

### Yolo County Board Authority in Appeals Involving Two Counties

If the interdistrict attendance involves school districts located in different counties, the appeal will be heard by the Yolo County Board of Education for the district denying an agreement or refusing or failing to enter into an agreement. If districts in different counties deny an agreement, or refuse or fail to enter into an agreement, the Yolo County Board for the district of residence shall hear the appeal. If the appeal is granted, the Yolo County Board for the other

district will be asked to agree. If the two Yolo County Boards do not then agree, the student's appeal shall be denied.

### **What Actions the Yolo County Board Of Education May Take**

The **Yolo County Board** of Education's review of the appeal may result in:

1. Granting the interdistrict attendance appeal and enrolling the student in the new school district;
2. Denying the appeal and ordering the student returned to the school district of residence; or
3. In rare cases, returning the case to the local school district for further consideration of new evidence or new grounds for the request for interdistrict attendance.

### **Requesting an Interdistrict Attendance Appeal Hearing**

In general, you must request an appeal hearing within 30 calendar days of when your interdistrict attendance request was denied by the school district. However, sometimes the school district does not respond to your request in a timely manner or simply fails to respond at all. Listed below are three different situations and a description of when your 30 calendar day timeline starts to run:

District Denies Request:

1. *In most situations, a school district will act on your interdistrict attendance request either orally or in writing. You must file your appeal with the Yolo County Board within 30 calendar days from the date that your request was rejected by either the school district of residence or the school district of requested attendance, or both.*

District Fails To Act On Request For Next School Year:

2. If you have asked for an interdistrict attendance agreement for the next school year and the school district(s) fail to respond to your request, you must wait at least 30 calendar days from the date of your request to see if you get a response from either of the school districts. You must also wait fourteen calendar days after both school districts' academic school year begins before the 30 calendar day filing period begins. An academic school year starts on the first day of classes in the school district.

Example: If you filed an interdistrict attendance request on July 1 and you did not hear anything from the school district(s) by July 31, you must still wait until fourteen calendar days into the academic year before you can file an appeal with the Yolo County Board. If the academic year for both district begins on August 15, you must file your appeal after August 29 and before September 28.

District Fails To Act On Request Filed During The School Term:

3. If you have asked for an interdistrict attendance agreement for the current school year and the school district(s) fail to respond to your request, you must wait 30 calendar days from the date of your request to see if you get a response from the school district(s). If you do not get a response during that time, you have 30 more days to file an appeal with the Yolo County Board of Education.

Example: If you filed an interdistrict attendance request on September 1 and you did not hear anything from the school districts by October 1, you have until October 31 to file your appeal with the Yolo County Board of Education. You could not, however, file your appeal on September 15 (too soon) or November 15 (too late).

*Before you file your appeal, you must check the policies of the local school districts to see if there is any type of internal appeal procedure (e.g., decision by the Superintendent may be appealed to School Board). If there is an internal appeal procedure, you must use that procedure before you file an appeal with the County Board of Education.*

### **Late Appeals**

Failure to appeal within the required time will result in denial of your appeal unless you can show “good cause for the late appeal.” The explanation of “good cause” must be filed with the appeal. An example of “good cause” would be where the parent appeal is mailed timely, but the parent proves that document was lost by the U.S. mail.

### **Filing an Appeal and Requesting a Hearing**

The appeal process begins with completing and filing a written form called: “**Appeal of Denial of Interdistrict Attendance.**” This form is attached to the Handbook. You may deliver the form in person or by placing it in the mail at the following address:

President, Yolo County Board of Education  
1280 Santa Anita Court, Suite #100  
Woodland, CA 95776-6127  
Attention: County Superintendent

This form must be completed, signed, and returned within the applicable time limits (refer to pages 3 and 4). *Complete all sections of the form legibly.*

Read the entire Handbook before completing the form. We especially recommend that you read the section “Facts the Yolo County Board Will Consider” that begins on page 8 before completing the section of the form entitled, “The reasons for this request.”

Your completed appeal form should be accompanied by:

1. A copy of your original request for an interdistrict attendance agreement;
2. The district's denial, if there was one; and
3. Any other supporting documentation you want the County Board to consider.

The Yolo County Board will accept a date-stamped copy of your request for an interdistrict attendance agreement filed with the district as evidence that you have complied with district procedures in the event that the district fails to act on your original request. (see page e)

The reason(s) for your appeal must be the same as those stated on your original request for an interdistrict permit or agreement. If the reasons on the appeal are substantially different, you may be asked to reapply for an interdistrict transfer with your district of residence.

If you have any questions about completing the form, you may contact the Executive Assistant to the Superintendent at the Yolo County Office of Education, (530) 668-3702.

The effective date of the appeal is the date on which the completed and signed appeal document is received by the Yolo County Superintendent of Schools.

### **Processing the Request for an Appeal**

#### **Yolo County Superintendent or Designee Will Verify Information**

After receiving your appeal request, the Yolo County Superintendent's office will review it and seek to verify certain information before a hearing date is scheduled. The Yolo County Superintendent will verify whether the student is subject to expulsion. A parent cannot appeal the denial of an interdistrict attendance agreement if the student is up for expulsion or is currently serving an expulsion term.

The Yolo County Superintendent's office will also check to see if you have exhausted any appeal processes in the local school districts. If you have not used the local appeal channels, you will be asked to complete the local appeal process before going forward.

The Yolo County Superintendent's office will review the case to determine that all timelines have been honored prior to setting a hearing. Misinformation and/or falsification of information may cause rejection of an appeal.

#### **Setting a Hearing Date**

If the written appeal is complete and appropriate before the Yolo County Board of Education,

the Yolo County Superintendent will place the matter on the Yolo County Board of Education's agenda for a regular or special meeting to be held no later than 30 calendar days following the effective date of the appeal. The Yolo County Board may extend this 30 day period an additional five calendar days for good cause (Education Code 46601(b)). The Yolo County Superintendent has discretion to approve a request for postponement filed by you or by the school district for good cause, provided the request is filed in writing at least five calendar days prior to the hearing date, except in an emergency. A postponement by a party extends the timeline for the Yolo County Board of Education to make a decision.

### **Notification of Hearing Date**

The Yolo County Superintendent's office will notify you and the district(s) involved of the date, time, and place of the appeal hearing. Normally, the notice will be sent at least 15 calendar days before the date of the hearing. *If the circumstances dictate notice of less than 15 calendar days, the timelines for written argument will also be adjusted.*

### **Other Issues**

After you have filed your appeal, you may also be contacted by the Yolo County Superintendent's office for the following reasons:

1. To explain your rights and the procedures for your case.
2. To request that you make certain documents available to assist the Yolo County Board of Education in making its determination.

### **Preparing For the Hearing**

#### **Filing A Written Argument Is Important:**

The Yolo County Board recommends that the parent/guardian or a representative file a pre-hearing written statement with the County Board of Education (please submit a typewritten argument if at all possible). Any written argument must be filed *at least 10 calendar days prior to the date set for the hearing before the County Board of Education*. Send or deliver copies of the argument to the school district of residence and the school district of requested attendance when you file with the County Board.

#### **District Written Response:**

The school district(s) denying the transfer may submit a written reply argument. The school district's argument must be filed *at least five calendar days prior to the hearing date*. The school district (s) shall deliver a copy to the parent and the other district no later than the date upon which the argument was filed with the Yolo County Board of Education.

You may employ an attorney or other advocate, at your expense, to prepare your written

argument for the hearing.

### **Attach Documentation To Your Written Argument:**

Adequate documentation is helpful when presenting your case. You will find that evidence is most effective when it is provided in writing, related to the issue(s) at hand, and is the type of evidence upon which reasonable persons can rely in the conduct of serious affairs.

Some examples of documentary evidence include:

1. A copy of your original request for an interdistrict attendance permit or agreement and any written denial(s) (*if not already provided with your appeal form*).
2. Documents to support your request for an interdistrict transfer. For example, when you review the factors that the Yolo County Board will consider, you will see that certain documents may support your position. Those documents could be professional recommendations by doctors, educators, psychologists, or others. Verifications of participation or non-availability of child care providers, transportation providers, teachers, or others could be helpful. Brochures or written information about special programs in the school district or community of requested attendance may be supportive evidence.

### **Waiver of Privacy of Documents Provided:**

There are numerous laws which protect the release of confidential records. For example, there are certain laws regarding the privacy and confidentiality of student records. (See Education Code 49060, et seq.) There are also laws regarding the confidentiality of juvenile court records and medical records. *If you wish to have the Yolo County Board consider material from confidential records, you must understand that turning the records over to the County Board for the purpose of the interdistrict attendance hearing is a waiver of the privacy rights in those records. In other words, you consent for the Yolo County Board to review and comment on the records in a public meeting. You may wish to consult legal counsel regarding such documents.*

### **Multiple Appeals:**

Families with multiple appeals may have the appeals heard separately or as one. If you have all the appeals heard as one, there will be a separate vote on each child, but only one written decision.

### **Legal Advocate at the Hearing:**

Although the hearing is informal, you may bring legal counsel or a legal advocate. The use of any legal counsel will be at your expense.

### **A Brief Verbal Presentation:**

The County Board of Education will mostly rely on the written information that you and the

school districts provide before the hearing. However, you should prepare a brief verbal presentation which focuses on the factors that the Yolo County Board will consider in deciding an appeal. It may also be helpful to bring a witness or someone who might make a special statement on behalf of the student. Please make sure any witnesses are prepared to make a brief presentation.

### **Facts the County Board Will Consider**

In its discussion and deliberations on your appeal, the Yolo County Board of Education will consider the conditions of, and your reasons for, your request for a transfer.

In deciding whether to grant or deny an appeal, the Yolo County Board weighs the facts which support the criteria favoring a transfer against the adverse impacts presented by the school district(s). If you are unable to present sufficient evidence to justify a transfer, the County Board may rule against the appeal request without considering the school district's evidence of an adverse impact.

If you are able to submit sufficient evidence to justify a transfer, the school district will have an opportunity to rebut the evidence and submit evidence of an adverse impact. You then have an opportunity to respond and offer evidence as to how some or all of the adverse impacts on the school district (s) could be alleviated.

Misinformation and/or falsification of information provided by either party shall be good cause for deciding against that party.

#### 1. Factors Which Support Granting an Appeal:

- a. **The student's desire to remain in his/her school of current attendance for the balance of the semester or school year despite his/her or parent's change of residence.** The student's desire may be based on his or her anticipated graduation from the school of current attendance at the end of the semester or school year, or on a need for educational continuity for the remainder of the semester or school year.
- b. **The student's plan to move in the near future and desire to begin the semester or school year in his or her new school district.** The student and his or her parent or guardian must offer written proof of their plan to move into the district of proposed attendance. Such written proof may be a rental agreement, a contract to purchase new property, or a similar document.
- c. **The acceptance of a sibling of the student for attendance for the current school year by the district of requested attendance, when requiring the students to attend different districts, would cause a hardship on the family.** The student and/or parent must submit written documentation of the sibling's enrollment and demonstrate a hardship based upon child care needs, transportation issues, employment location, or other significant factors.

- d. **The student's psychological or physical well-being will be seriously adversely impacted by remaining in the district of residence.** Problems with a student's psychological or physical well-being must be supported by the written statement of a qualified medical or behavioral professional having a professional relationship with the student.
- e. **A substantial danger to the student's health or safety exists by remaining in the district of residence.** A danger to the student's health or safety must be supported by the written statement of a qualified health expert, by police reports, by school records, or by other documentation. Substantial danger based upon transportation issues may be included under this criteria.
- f. **A specialized and specific district academic program or service in grades 7- 12 is unavailable in the district of residence, and is essential to the student's career or academic objectives.** Such a district program or service must be directly related to and be essential to achieve the student's career objectives or academic advancement and not be based solely on the student's interests or desires, or on extracurricular activities or athletics. An academic program is defined as a series of classes in a single subject or in related subjects extending over more than one year in grades 7-12, which has a specific occupational or educational objective.
- g. **The student previously has been granted an interdistrict attendance agreement specifically based on that student's child care needs, and the student must be allowed to continuously enroll in the school district pursuant to Education Code 46601.5.** The parent or guardian must provide evidence of the previous interdistrict attendance agreement, the current and prior child care location(s), and any documentation from the school districts regarding the prior agreement and current request. You must demonstrate that the school district's denial was based on an arbitrary, discriminatory or otherwise inappropriate reason under Education Code 48204(f).

*(Please note: In this situation, a school district has general authority to deny an interdistrict attendance request for the reasons listed under Education Code 48204(f). Under that law, the school district's reason cannot be based upon race, ethnicity, sex, parental income, scholastic achievement or any other arbitrary consideration. However, the school district may deny the request: (1) if the transfer would negatively impact the district's court-ordered or voluntary desegregation plan; (2) if the additional cost of educating the student would exceed the amount of additional state aid received from the transfer; (3) if the transfer results in a net transfer of students out of a district that exceed the statutory amounts in Education Code 48204(f)(6)(A)-(C); or (4) for any non arbitrary or non-discriminatory reason. You should be prepared to address these reasons when asserting this criteria in the appeal.*



law, district policy or a collective bargaining agreement regarding class sizes or facilities use.

- d. **The negative impact of the student's transfer on a court-ordered or voluntary desegregation plan of either district.** The district must provide details about the court-ordered or desegregation plan and provide written evidence of the anticipated negative impact of the student's transfer.
  - e. **The transfer of the student would violate the Education Code, a state department regulation, or some other law governing school districts.** The district(s) must provide written documentation of the specific law that would be violated and how it would be violated.
  - f. **The student previously has been granted an interdistrict attendance agreement specifically based on the student's child care needs, but the school district has rejected the current request because of one (1) or more of the reasons under Education Code 48204(f).** The school district must identify its specific reason(s) for the denial and demonstrate whether that reason is appropriate under 48204(f)(1)-(6).
  - g. **Other exceptional or extraordinary circumstances that would weigh heavily in favor of the affected school district.** The school district must specify and describe the type of exceptional or extraordinary circumstance.
3. **Mitigation of Adverse Impacts.** You may, but are not required to, provide evidence of the following in order to mitigate adverse impacts of the transfer upon the district.

Your willingness to pay an amount equivalent to extra taxes, fees, and assessments that the district of requested attendance imposes upon residents of that district. You must specify and commit to willingness in writing, including your understanding of the cost of extra taxes.

### The Hearing

Hearings are conducted in open session during regular or special Yolo County Board of Education meetings held at the:

Yolo County Office of Education  
1280 Santa Anita Court, Suite #100  
Woodland, CA 95776-6127

It is the intent of the Yolo County Board of Education to conduct the hearing in a fair and sufficiently informal manner to encourage open communication and understanding of the system. The hearing will also be conducted in such a manner that no special legal expertise is necessary and so that all parties have the opportunity to present their case fairly and completely. The law provides that you may have legal counsel or an advocate present if you wish. A record of the hearing will be made.

During your appeal hearing, you, the student (optional), and the representatives of the districts will take seats at a table in front of the Yolo County Board.

**The hearing is conducted as follows:**

1. Three members of the Yolo County Board of Education must be present for a quorum to conduct the hearing.
2. After introduction of all parties, the Yolo County Board President will conduct the proceedings. All testimony will be taken under oath.
3. The student, the parent or guardian, or a representative of the student will present the reasons for requesting the student attend the district of requested attendance. The speaker will have a specified amount of time (normally 15 minutes) to summarize his/her position based upon the written argument previously submitted. During this time, the speaker will also respond to questions from the Yolo County Board, if any.
4. A representative of the district of residence will be given the opportunity to describe its position and the action(s) taken by that district (normally 15 minutes). During this time, the district representative will respond to questions from the County Board, if any.
5. A representative of the district of requested attendance will be given the opportunity to describe its position and the action(s) taken by that district (normally 15 minutes). During that time, the district representative will respond to questions from the district Yolo County Board, if any.
6. You will be given an additional five minutes to present any evidence of how to alleviate or mitigate any of the problems raised by the school district (s) and give any closing remarks. Each district will also have an additional five minutes for closing and/or response.
7. Members of the Yolo County Board may ask questions to clarify the issues. The Yolo County Board may also ask questions of the staff and/or legal counsel if appropriate.
8. The Yolo County Superintendent may, at this time, present any factual information or legal consideration not already covered by others present.
9. The hearing will be closed by a motion approved by three members of the Yolo County Board.
10. Following the closing of the hearing, the Yolo County Board will publicly deliberate the matter.
11. When the Yolo County Board President determines that deliberations are complete, he/she will then call for a vote regarding the following question: "Shall (name of student) be permitted to attend the (school district) for the \_\_\_\_\_ school year?"

12. A majority of the Yolo County Board members present must vote “yes” for the appeal to be granted. If a majority of the members present do not vote to grant the appeal, it will be denied.

**After the Hearing**

Following action by the Yolo County Board, a written decision incorporating the County Board’s rationale will be mailed to all parties.

If the Yolo County Board determines that the interdistrict attendance appeal should be approved, the student will be admitted to the school district of requested attendance without delay (Education Code 46602). The Yolo County Board may order attendance in a district, but not in a specific school.