Regulation 5117: Interdistrict Attendance

Status: ADOPTED

Original Adopted Date: 02/22/2005 | **Last Revised Date:** 02/11/2020 | **Last Reviewed Date:** 02/11/2020

INTERDISTRICT ATTENDANCE PERMITS

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a student of either district to enroll in the other district may be issued upon approval of both districts.

The District shall post on its website the procedures and timelines for requesting an interdistrict transfer permit, including a link to BP 5117 - Interdistrict Attendance. The posted information shall include, but is not limited to: (Education Code 46600.1, 46600.2)

1. The date upon which the District will begin accepting and processing interdistrict transfer requests for the following school year.

2. The reasons for which the District may approve or deny a request, and any information or documents that must be submitted as supporting evidence.

3. If applicable, the process and timelines by which a denial of a request may be appealed within the District before the District renders a final decision.

4. A statement that failure of a parent/guardian to meet any timelines established by the District shall be deemed an abandonment of the request.

5. Applicable timelines for processing a request, including the following statements:

    a. For an interdistrict transfer request received by the District 15 or fewer calendar days before the commencement of instruction in the school year for which the transfer is sought, the District will notify the parent/guardian of its final decision within 30 calendar days from the date the request was received.

    b. For an interdistrict transfer request received by the District more than 15 days before the commencement of instruction in the school year for which the interdistrict transfer is sought, the District will notify the parent/guardian of its final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction in the school year for which transfer is sought.

6. The conditions under which an existing interdistrict transfer permit may be revoked or rescinded.

Priority for interdistrict attendance shall be given to a student who has been determined, through an investigation by either the district of residence or district of proposed enrollment to be a victim of an act of bullying, as defined in Education Code 48900(r), committed by a student of the district of residence. (Education Code 46600)

Until the District is at maximum capacity, the District shall accept any student whose interdistrict transfer application is based on being the victim of an act of bullying or a child of an active duty military parent/guardian. The District shall ensure that such students are admitted through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics set forth in Education Code 220, including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status. (Education Code 46600)

In addition, the Superintendent or designee may approve or deny an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:

1. To meet the child care needs of the student, only as long as the student's child care provider remains within District boundaries.

2. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel.

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 the student's parents/guardians have moved out of the District during that year.

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 attended as a junior, even if the student's 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 school year in the District.

8. When the student will be living out of the District for one year or less.

9. When recommended by the School Attendance Review Board (SARB) 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.

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

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

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, or other considerations that are not arbitrary. However, once a student is admitted, the District shall not deny continued attendance because of overcrowded facilities at the relevant grade level.

If the transfer request is for a school year that begins within 15 calendar days of the receipt of the request, the Superintendent or designee shall notify the parent/guardian of the final decision within 30 calendar days of receiving the request. If the transfer request is for a school year that begins more than 15 calendar days after the receipt of the request, the parent/guardian shall be notified of the final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction during that school year. (Education Code 46600.2)

If a student's interdistrict transfer request is denied, the Superintendent or designee shall, in writing, notify the parents/guardians of their right to appeal to the County Board of Education within 30 calendar days from the date of the final denial. (Education Code 46600.2)

All notices to parents/guardians regarding the District's decision on any request for interdistrict transfer shall conform to the translation requirements of Education Code 48985, and may be provided by regular mail, electronic format if the parent/guardian provides an email address, or by any other method normally used to communicate with parents/guardians in writing. (Education Code 46600.2)

Pending a decision by the two districts or by the County Board on appeal, the Superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months, provided the District is the district of proposed enrollment. If the decision has not been rendered by the conclusion of two school months and the districts or County Board is still operating within the prescribed timelines, the student shall not be allowed to continue attending the District school to which the student was provisionally admitted. (Education Code 46603)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or recisions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

Once a student is admitted to a school on the basis of an interdistrict attendance permit, the student shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school of enrollment, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall not be rescinded after June 30 following a student's completion of grade 10 or for any student entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

TRANSFERS OUT OF THE DISTRICT

A student whose parent/guardian is in active military duty shall not be prohibited from transferring out of the District, provided the school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48307)

If the District is unable to provide an intradistrict transfer to a student who is a victim of an act of bullying, as defined in Education Code 46600, the District shall not prohibit the student from transferring out of the District if the district of proposed enrollment approves the application for transfer. (Education Code 46600)

The District may limit transfers out of the District to a school district of choice under any of the following circumstances: (Education Code 48307)

1. The number of student transfers out of the District to a school district of choice has reached the limit specified in Education Code 48307 based on the District's average daily attendance.

2. The County Superintendent of Schools has given the District a negative budget certification or has determined that the District will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this District to a school district of choice.

3. The Board determines that the transfer would negatively impact any of the following: (Education Code 48307)

    a. A court-ordered desegregation plan.

    b. A voluntary desegregation plan of the District, consistent with the California Constitution, Article 1, Section 31.

    c. The racial and ethnic balance of the District, consistent with the California Constitution, Article 1, Section 31.

APPLICATION PROCESS

1. Parents/guardians shall begin the process for a request for transfer with their district of residence.

2. Students residing within the El Dorado Union High School District must request an Interdistrict Attendance Application/Agreement (F5117.1) from the Student Services and Innovation Department located at the District Office at 4675 Missouri Flat Road, Placerville, CA. The completed application must be returned to Student Services and Innovation.

3. The Application/Agreement, once approved or denied by the District, is then sent to the requested school district.

4. Upon completion of the application process, parents/guardians will be notified by the requested school district of the final determination.