

INTERDISTRICT TRANSFER APPEAL HANDBOOK

For Sacramento County Students, Families, and School Districts



Sacramento County Board of Education
Administrative Rules and Regulations 5117

Revised July 2025



One of the duties and responsibilities of the Sacramento County Board of Education is to hear interdistrict attendance appeals involving school districts under its jurisdiction. These include:

1. Arcohe Union School District (K–8)
2. Center Joint Unified School District (K–12)
3. Elk Grove Unified School District (K–12)
4. Elverta Joint School District (K–8)
5. Folsom Cordova Unified School District (K–12)
6. Galt Joint Union Elementary School District (K–8)
7. Galt Joint Union High School District (9–12)
8. Natomas Unified School District (K–12)
9. River Delta Unified School District (K–12)
10. Robla School District (K–6)
11. Sacramento City Unified School District (K–12)
12. San Juan Unified School District (K–12)
13. Twin Rivers Unified School District (K–12)

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Introduction

The Sacramento County Office of Education (SCOE) has prepared this Handbook to provide direction and information to pupils and/or their parents/guardians who wish to appeal a school district's denial of an interdistrict transfer request for a pupil in grades K-12. It may be used only after you have exhausted your appeal rights within your local school district.

This Handbook constitutes the official criteria and procedures adopted by the Sacramento County Superintendent of Schools (County Superintendent) for conducting interdistrict transfer appeals.

The Sacramento County Board of Education (County Board) is committed to an objective review and consideration of appeals for pupils denied interdistrict transfer requests from local school districts.

Interdistrict attendance permits, interdistrict attendance agreements, and interdistrict transfer appeals are found in and governed by California Education Code sections 46600-46611, and local school district policies and administrative regulations, as well as the County Board's policies, and the provisions of this Handbook.

Purpose of an Appeal

The County Board has legal authority to review the procedures and reasoning followed by the school district(s) after the school district(s) has rejected or failed to rule on a K-12 pupil's interdistrict transfer request. The County Board will determine whether to grant or deny an interdistrict transfer appeal after reviewing the relevant facts from the pupil, parent/guardian, and local school district(s) involved.

Note: Before filing your appeal, you must check the policies of the local school districts to determine whether there are any internal appeal procedures that you must follow (e.g., whether a decision by the district superintendent must be appealed to the district school board). If there are district appeal procedures, you must follow those procedures before you file an appeal with the County Board.

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 attendance appeals or issues:

1. The specific school within the requested school district where the pupil will be enrolled. This determination will be made by the school district where the pupil attends school.
2. Denial of an interdistrict transfer request by a pupil under consideration for expulsion or who has been expelled while expulsion proceedings are pending, or during the term of the expulsion. (Ed. Code, § 46601(b)(4).)
3. Denial of an intradistrict transfer between schools within the same district. (Ed. Code, § 35160.5(b).)
4. A dispute over a special education placement or over the special education services provided to a pupil pursuant to an Individualized Education Plan. Such a dispute will be handled through special education procedures. (Ed. Code, § 56500 et seq.; 20 U.S.C. 1415.)
5. A determination by a school district regarding the validity or invalidity of a caregiver affidavit. (Ed. Code, § 48204(a); Fam. Code, § 6550 et seq.)
6. A school district's denial of attendance based upon parent employment within the district boundaries. (Ed. Code, § 48204(b).)

County Board Authority in Appeals Involving Two Counties

If the interdistrict transfer involves school districts located in different counties, the appeal will be heard by the county board for the district denying a permit or refusing or failing to enter into an agreement.

If both districts in the different counties deny the permit, or refuse or fail to enter into an agreement, the county board for the district of residence shall hear the appeal. If the appeal is granted, the other county board will be asked to agree. If both county boards agree, the appeal is granted. If both county boards do not agree, the pupil's appeal is denied.

County Board Actions

The County Board may take the following actions:

1. Grant the interdistrict transfer appeal;
2. Deny the appeal, in which case the pupil is ordered to return to the school district of residence; or
3. In some cases, return the case to the school district of residence for further consideration if new evidence or new grounds for the request for interdistrict transfer are introduced.

When an Appeal May be Filed with the County Board

In general, you must request an appeal hearing **within 30 calendar days** of the date that the interdistrict transfer request **was denied** by the school district. However, there are other circumstances that could trigger the 30-calendar day timeline. Listed below are three different situations and a description of when the 30-calendar day timeline starts:

1. District Denies Request

In most situations, a school district will act on an interdistrict transfer request in writing. You must file your appeal with the County Board within 30 calendar days from the date either school district makes its final written decision denying your request.

2. District Fails to Act on Request for Next School Term

If you have requested an interdistrict attendance permit at least 15 calendar days before the beginning of a new academic year, the school district(s) must respond to your request within 14 calendar days after each school district's new term begins. If the school districts fail to act within 14 calendar days of the

new term, you must file your appeal with the County Board within 30 calendar days (i.e., your appeal must be filed within 44 calendar days of the new term). A new term starts on the first day of classes in the school district. If the school districts have different start dates, the 14 calendar days shall run from the later of the two.

3. District Fails to Act on Request Filed During the School Term

If you have asked for an interdistrict attendance permit for the current school term and the school district(s) fail to respond to your request, you must wait 30 calendar days from the date of your request for a response from the school district(s). If you do not get a response within the 30 calendar days after making your request, then you have 30 calendar days to file an appeal with the County Board.

Submitting the Appeal Request

The appeal process begins with completing and filing a written form called the “Interdistrict Transfer Appeal and Request for Hearing.” (See Appendix B of this Handbook.) The form must be received by the appeal deadline. You may deliver the form in person, send it by mail, or email it to:

1. Physical Location:
Sacramento County Office of Education
10474 Mather Boulevard, Mather, CA 95655
2. Mailing Address:
Assistant Superintendent, Court and Community Schools and CTE
Sacramento County Office of Education
P.O. Box 269003, Sacramento, California 95826-9003
3. Email: appeals@scoe.net

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

We suggest that you read the entire Handbook before completing the form, paying special attention to the section “Factors the County Board May Consider” on pages 7-10 before completing the section of the form entitled “Reason for Appeal.”

Documentation to Support Your Appeal

Adequate documentation is helpful when presenting your appeal. Pupils and/or their parents/guardians have the right to review and obtain copies of pupil records from the

school district. You will find that evidence is most effective when it is provided in writing, is related to the issue(s), and is the type of evidence upon which reasonable persons can rely on in the conduct of serious affairs. Some examples of documentary evidence include:

1. A copy of your original request for an interdistrict transfer and any written denial(s).
2. Documents to support your request for an interdistrict transfer. For example, when you review the factors that the County Board may consider, 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 childcare providers, transportation providers, teachers, or others could be helpful. Brochures or written information about special programs in the requested school district or its surrounding community may also be supportive evidence.

The completed appeal form should be accompanied by the following:

- a copy of your original request for an interdistrict attendance permit;
- any letters to and from your district of residence regarding your request;
- any letters to and from the district of requested attendance regarding your request; and
- any other supporting documentation you want the County Board to consider.

The County Board will accept a date-stamped copy of your request for an interdistrict attendance permit 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.

The reason(s) for your appeal must be the same as those stated on your original request for an interdistrict permit. If the reasons on the appeal are substantially different, you may be asked to reapply for an interdistrict transfer with the school district(s). Also, if new evidence is submitted, the County Board may also ask you to reapply to the school district(s) for further consideration.

If you have any questions about completing the form, you may contact the Office of the Assistant Superintendent, Court and Community Schools and CTE at (916) 228-2348.

The effective filing date of the appeal is the date the completed and signed appeal document and supporting documents are received by the County Superintendent.

Appeals Filed Late

Failure to appeal within the required time will result in denial of your appeal unless you can show “good cause” for filing the appeal after the 30 calendar day time period has elapsed. The explanation of “good cause” must be filed with the appeal.

Processing Requests for an Appeal Hearing

SCOE Will Verify Information

After receiving your appeal request, SCOE will review the appeal in order to verify certain information before a hearing date is scheduled. In addition to other information, SCOE will verify whether the pupil is subject to expulsion. The denial of an interdistrict attendance permit cannot be appealed if the pupil is being considered for expulsion or is currently serving an expulsion term. (Ed. Code, § 46601(b)(4).)

SCOE will verify whether you have exhausted all appeal processes in the local school district(s). If you have not used all of the local appeal options, you will be asked to complete the local appeal process before going forward with your request for an interdistrict appeal hearing before the County Board. (Ed. Code § 46601(b)(3).) SCOE will also verify that all timelines have been honored prior to setting a hearing.

Misinformation and/or falsification of information may cause rejection of an appeal. As stated above, if new evidence or grounds for the request are introduced, the County Board may send the matter back to the district(s).

Setting Hearing Date

If the written appeal is complete and appropriate, the County Superintendent will place the matter on the County Board’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 County Board or the County Superintendent may extend this time period up to 60 calendar days after the appeal is filed, if one or more of the following circumstances apply:

- I. There is a delay in response by the parent, guardian, educational rights holder, or school district.
- II. A delay is necessary to ensure all parties are available to attend the hearing (i.e. the delay is due to incompatible availability)
- III. The parent, guardian, or educational rights holder has requested the hearing’s delay, or they are unable to attend a hearing.
- IV. A school district has closed their annual application window and is no longer accepting permit applications for the remainder of the current or future school year.

(Ed. Code, § 46601(b).)

You or the school district may request a postponement of the hearing for good cause. This request must be filed in writing at least five (5) calendar days before the hearing date, except in an emergency. The County Board or County Superintendent may extend the hearing date upon receiving such a request or unilaterally extend it for an additional five (5) school days for good cause.

Notification of Hearing Date

SCOE will notify you and the district/s involved of the date, time, and place of the appeal hearing. When possible, the notice will be sent at least 10 calendar days before the date of the hearing.

Other Issues

After you have filed your appeal, you may also be contacted by SCOE for the following:

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

District(s)' Written Response

The school district(s) denying the transfer may submit a written statement in response to your appeal. The school district(s) will be notified of the deadline for submitting the written response. Each school district electing to submit a written response shall deliver a copy of the response to the person filing the appeal and the other district on the same date it is filed with the County Board.

The Interdistrict Appeal Hearing

Closed Session Hearing

The appeal hearing will be held in closed session to protect the pupil's privacy unless the parents/guardians submit a written request to be heard in a public meeting. (Ed. Code, § 35146.) After receiving the appeal, SCOE will notify the parents/ guardians of the deadline to submit a request for a public meeting.

Closed session means that the appeal hearing is closed to the public, and only County Board members, necessary SCOE staff, the parents/guardians, the pupil, and school district(s) are present at the hearing. A public meeting (open session) means that anyone may attend the appeal hearing. If a timely request for a public meeting is requested, the appeal hearing will be public, except that any discussions regarding pupils other than the subject of the appeal will be in closed session when necessary to protect their privacy rights.

Multiple Appeals

Families with multiple appeals may, in the County Board's discretion, have the appeals heard together or separately. If all appeals are heard as one, there will be a separate vote on each child, but only one written decision from the County Board.

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.

Brief Verbal Presentation

The County Board 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 that focuses on the factors that the County Board will consider in deciding the appeal.

Factors the County Board May Consider

In its discussion and deliberations on your appeal, the County Board will consider the reasons for your transfer request.

In deciding whether to grant or deny an appeal, the County Board weighs factors that support granting an appeal against factors that support denying an appeal. The County Board has discretion to decide the appeal based upon the evidence presented.

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

Factors That May Support Granting an Appeal

1. The pupil'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.
2. To allow a pupil to remain in his/her current school within two years of graduation or promotion from that school.
3. The pupil's plan to move in the near future and desire to begin the semester or school year in his/her new school district. You must offer written proof of the 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.

4. The acceptance of a sibling of the pupil for attendance at the requested district for the current school year, requiring the pupils to attend different districts. You must submit written documentation of the sibling's enrollment.
5. To address the childcare needs of a pupil in grades TK-8. You must offer written evidence of the pupil's childcare arrangement.
6. To meet the pupil's special mental, physical, educational, health or safety needs. This must be supported by the written statement of a qualified physician, school psychologist, or other appropriate school, medical, or law enforcement personnel. Transportation issues that impact the pupil's safety needs may be included under this criterion.
7. A pupil has been determined by personnel of either the district of residence or the requested district to have been the victim of an act of bullying committed by a pupil of the district of residence. You must provide written documentation or school records to demonstrate that district personnel have determined that the pupil was a victim of bullying, as defined by Education Code section 48900(r). (Ed. Code, § 46600(b).)
8. The pupil is enrolled or accepted in a program not available in the district of residence. You must provide written documentation of acceptance or enrollment in the program.
9. A need to change the pupil's social environment, as recommended by juvenile authorities (e.g., School Attendance Review Board, county child welfare, probation, social services agency staff). You must provide evidence that, due to documented cases of serious home or community problems, it is inadvisable for the pupil to remain in the school district of residence.
10. By reason of transfer of territory between districts, the residence of the pupil is no longer in the district that maintains the school where the pupil has previously attended. You must show location of residence and the negative impact, if any, due to the transfer of territory.
11. The location of the pupil's residence requires travel through the district of requested attendance, and by virtue of topography, street pattern, and locations of homes in the neighborhood, the area is landlocked. You must provide written documentation of the land-locked residence and how such a situation makes a change in the school districts advisable.
12. Other exceptional or extraordinary circumstances that would weigh heavily in favor of the pupil. You must specify and describe the type of exceptional or extraordinary circumstance and its effect on the pupil.

The County Board, in its discretion, may determine that evidence provided by the affected school district(s) outweighs factors that support granting the appeal.

Factors That May Support Denying an Appeal

1. The pupil's demonstrated failure to meet reasonable standards relating to behavior, attendance, or diligence to studies. This demonstration must be based on documented evidence of the pupil's behavior, attendance, or grades.
2. A comparable program is available in the district of residence. The school district must describe how the program is comparable.
3. The negative financial impact of educating the pupil (district of proposed attendance) or of losing the pupil (district of residence). The impacted districts must demonstrate that the pupil's transfer would place a hardship on the district's operations, and/or resident pupils in terms of costs, reduced services, or other unacceptable outcomes.
4. Overcrowding or lack of space for the pupil in the requested district. The district of proposed attendance must demonstrate that the pupil's transfer would result in an undue hardship on the district's resident pupils in regards to overcrowding or priority for enrollment in a specific program and/or would be a violation of law, district policy, or a collective bargaining agreement regarding class sizes or facilities use.
5. The negative impact of the pupil's transfer on a court ordered or voluntary desegregation plan of either district. The district must provide details about the court ordered or voluntary desegregation plan and provide written evidence of the anticipated negative impact of the pupil's transfer.
6. The transfer of the pupil would violate the Education Code, a state regulation, or other law governing school districts. The district(s) must provide documentation of the specific law that would be violated and how it would be violated.
7. 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.

Conducting an Appeal Hearing

Hearings are conducted in closed session during regular or special County Board meetings, unless the parent/guardian requests a hearing in public. A closed session hearing is open only to the parent/guardian, pupil, school district(s), County Board, and necessary staff. An open session hearing is open to the public.

County Board meetings are generally held at the Sacramento County Office of Education (Board Room) located at 10474 Mather Boulevard, Mather, CA 95655.

It is the intent of the County Board to conduct the hearing in a fair and informal manner to encourage open communication and understanding of the process. The hearing will be conducted in such a manner that no special legal expertise is necessary, and all

parties have the opportunity to present their case fairly. You may have legal counsel, an advocate, or an interpreter present if you wish. A record of the hearing will be made.

During the appeal hearing, the person filing the appeal, the pupil (optional), and the representatives of the district(s) will take seats in front of the County Board.

The hearing is conducted as follows:

1. At least four members of the County Board must be present to establish a quorum and conduct the hearing.
2. After introduction of all parties, the County Board President will conduct the proceedings.
3. The pupil, the parent/guardian, or a representative of the pupil may present the reasons for requesting the pupil's transfer to the district of requested attendance. The speaker will have a specified amount of time (normally five minutes) to summarize his/her position based upon the written documents previously submitted. The speaker will also respond to questions from the County Board, if any.
4. A representative of the district of residence will be given the opportunity (normally five minutes) to describe its position and the action(s) taken by that district. 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 (normally five minutes) to describe its position and the action(s) taken by that district. The district representative will respond to questions from the County Board, if any.
6. You will be given an additional two minutes to respond to the school district(s) statements and give any closing remarks. Each district will also have an additional two minutes for response and/or closing.
7. Members of the County Board may ask questions to clarify the issues and may ask questions of staff and/or legal counsel as necessary.
8. The County Superintendent or designee may present any factual information or legal consideration not already covered by others present.
9. The hearing will be closed.
10. Following the closing of the hearing, the County Board will deliberate the matter.
11. When the County Board President determines that deliberations are complete, he/she will call for a vote regarding the appeal.

On a motion to grant the appeal, at least four members of the County Board must vote in favor for the appeal to be granted. Unless at least four members vote to grant the appeal, the appeal is denied.

At the Conclusion of an Appeal Hearing

Following action by the County Board, a written decision will be mailed to all parties. If the County Board grants the appeal, the pupil will be admitted to the school district of requested attendance without delay. (Ed. Code, § 46602.) The district of requested attendance will determine the specific school the pupil is to attend.

APPENDIX A

Administrative Rule and Regulation (ARR) 5117 – Interdistrict Transfer Appeals



Book	Board Policies and ARRs
Section	5000 Students
Title	Interdistrict Transfer Appeals
Code	5117 ARR
Status	Active
Last Revised	February 21, 2017
Last Reviewed	May 20, 2025
Prior Revised Dates	04/12/90 Draft, 11/13/90 Reviewed by Board of Education, 10/02/95 Revision, 10/02/12 Reviewed by Policy Committee, 12/11/12 Reviewed by Policy Committee, 01/15/13 Reviewed by the Board of Education, 02/05/13 Reviewed by Policy Committee, 03/05/13 Reviewed by Policy Committee, 06/04/13 Reviewed by the Board of Education (formerly ARR 5100), 06/25/13 Distribution, 11/14/16 Reviewed by Cabinet, 11/15/16 Reviewed by Policy Committee, 02/21/17 Reviewed by Board of Education, 03/10/17 Distribution

Pursuant to Board Policy 5117, the Sacramento County Office of Education has adopted the attached Interdistrict Transfer Appeal Handbook, and all subsequent revisions, establishing procedures to govern interdistrict attendance appeals.

Legal Reference:

EDUCATION CODE
46601-46605 Interdistrict Attendance Computation

APPENDIX B

Interdistrict Transfer Appeal and Request for Hearing

In accordance with Education Code section 46601 and Sacramento County Board of Education Policy 5117, I/we hereby request a hearing for the purpose of an Appeal of an Interdistrict Transfer Denial.

Date: _____

Name of Person Filing Appeal: _____

Relationship to Pupil(s): _____

Residence Address: _____

Residence Telephone: _____ Business or Cell Phone: _____

Email Address: _____

School District of Residence: _____

Attorney/Representative (if applicable): _____ Telephone: _____

I am/we are requesting that the Sacramento County Board of Education hear an appeal of the denial by _____ School District of an interdistrict attendance transfer request for the following pupil(s) to attend school in the _____ School District.

Pupil 1: _____ Age: ____ Grade: _____ Current School: _____

Pupil 2: _____ Age: ____ Grade: _____ Current School: _____

Pupil 3: _____ Age: ____ Grade: _____ Current School: _____

Pupil 4: _____ Age: ____ Grade: _____ Current School: _____

1. Date Interdistrict Transfer Permit was requested: _____

- Did the District deny the request? ☐ Yes ☐ No
- Date of Denial: _____ ☐ [attach a copy]
- Did the District fail to respond? ☐ Yes ☐ No

2. How many other children are at home? _____

Give their ages:

Child 1

Child 2

Child 3

Child 4

Child 5

Schools & Districts where your other children attend school: _____

3. Is this the first time you requested an interdistrict attendance agreement for the pupil(s) from the district? ☐ Yes ☐ No
4. If an interdistrict transfer was approved in prior years for the pupil(s), please indicate the first year the agreement was granted and provide a copy of the prior interdistrict attendance agreement(s): _____
 - a. Pupil's grade level during the first year the agreement was granted: _____
 - b. Reason you requested an interdistrict attendance the first year the agreement was approved: _____

5. Does the pupil have any brothers or sisters who are attending school in the requested district this year on an approved Interdistrict Transfer permit?

☐ Yes ☐ No
6. Explain your understanding of the reason(s) for denial of permit. (Please attach a copy of the notice of denial from the district.)

7. Reason for Appeal

NOTE: The appeal will not be accepted without a complete statement of reasons. Please attach additional pages if more space is needed to complete this item. See pages 7 through 10, "Factors the County Board May Consider."

[illegible]

NOTE:

The County Board has no authority to determine the specific school within the school district where the pupil will be enrolled. This authority is reserved for the school district of requested attendance.

I/we understand that the County Board will rely upon this information to decide my/our appeal. I/we are the educational rights holder(s) for the pupil(s). I/we consent for the County Board to review material submitted from confidential records for purposes of this appeal. I/we hereby certify that this information is true and correct to the best of my/our knowledge.

SIGNATURE of Person Filing Appeal

Date

SIGNATURE of Person Filing Appeal

Date

Please attach the following items to this “Interdistrict Transfer Appeal and Request for Hearing” form:

- ☐ Your transfer request
- ☐ Any letters to and from your district of residence regarding your request;
- ☐ Any letters to and from the district of requested attendance regarding your request; and
- ☐ Any relevant supporting documentation that you want the County Board to consider.

PLEASE RETURN IN PERSON, BY MAIL, OR BY EMAIL TO:

Assistant Superintendent
Court and Community Schools and CTE
Sacramento County Office of Education
10474 Mather Boulevard, Mather, CA 95655 (Physical location)
P.O. Box 269003, Sacramento, CA 95826-9003 (Mailing address)
Email: appeals@scoe.net