

Policy 5117: Interdistrict Attendance

Status:
ADOPTED

Original Adopted Date: ~~02/25/2009~~ **12/01/2015** | **Last Revised Date:**
~~04/12/2017~~ **06/01/2023** | **Last Reviewed Date:** ~~04/12/2017~~ **06/01/2023**

~~The Board of Education recognizes that students who reside in one district may choose to attend school in another district and that such choices are made for a variety of reasons.¶~~

~~The Board desires to communicate with parents/guardians and students regarding the district's educational programs and services.¶~~

Interdistrict Attendance Permits¶

The Governing 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.

OPTION 1: Interdistrict Attendance Agreements and Permits

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 those districts. (Education Code 46600).¶

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It may also contain standards agreed to upon by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)¶

~~Upon receiving a request by a student's parents/guardians permit for transfer into the district that has been approved by the student's district of residence, the Superintendent or designee shall review the request and may approve or deny the interdistrict attendance permit on a case-by-case basis to meet individual student needs, subject to the terms and conditions of the interdistrict attendance agreement and Administrative Regulation 5117.~~

~~With respect to incoming transfers, the district shall not accept student transfers if he/she has been suspended or expelled for the following offenses during the preceding school year:~~

- ~~1. Causing serious physical injury to another person.~~
- ~~2. Possession, use, or sale of a firearm, knife, explosive or other dangerous object.~~
- ~~3. Possessed, used, sold, furnished or been under the influence of a controlled substance.~~
- ~~4. Unlawfully offered, arranged, or negotiated to sell a controlled substance.~~
- ~~5. Committed or attempted to cause damage to school property or private property.~~
- ~~6. Stolen or attempted to steal school property or private property.~~
- ~~7. Committed an obscene act or engaged in habitual profanity or vulgarity.~~
- ~~8. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia.~~
- ~~9. Knowingly received stolen school property or private property.~~
- ~~10. Committed or attempted to commit a sexual assault.~~

~~Engaged in an act of bullying 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.~~

OPTION 1 ENDS HERE

OPTION 2: School District of Choice Program

The Board has designated the district as a "school district of choice" and shall accept students who reside within other California school districts who wish to attend a district school.

The Board shall, by resolution, annually establish the number of students who will be accepted into the district through this program based on recommendations by the Superintendent or designee as to the number of transfer students the district will be able to accept and the schools, grades, and programs that will be able to accept the students. Once established, the district shall accept all students who apply to transfer into the district until the district is at maximum capacity, as required pursuant to Education Code 48301.

Students shall be admitted to district schools through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether a student should be enrolled based upon the student's academic or athletic performance, physical condition, proficiency in English, any of the individual characteristics set forth in Education Code 200, or family income. (Education Code 48301)

If the number of transfer applications exceeds the number of transfers the Board has elected to accept, approval for transfer shall be determined by a random drawing held in public at a regularly scheduled Board meeting. (Education Code 48301)

Because the district admits students in accordance with the school district of choice program, the Superintendent or designee shall not admit students based on individual interdistrict attendance permits, pursuant to Education Code 46600-46610, except under extraordinary circumstances.

The Superintendent or designee shall keep an accounting of all requests for admittance through the school district of choice program and a record of their disposition, including, but not limited to, all of the following: (Education Code 48313)

1. The number of requests granted, denied, or withdrawn and, for denied requests, the reason for the denial
2. The number of students transferred into and out of the district pursuant to this program
3. The race, ethnicity, gender, self-reported socioeconomic status, eligibility for free or reduced-price meals, and the district of residence for each student transferred into or out of the district pursuant to this program
4. The number of students transferred into or out of the district pursuant to this program who are classified as English learners or students with disabilities

5. As applicable, the number of students described in Items #3 and 4 above who are provided transportation assistance to a district school or program, and the total number of students provided transportation assistance, pursuant to the school district of choice program

The information specified in Items #1-5 above shall be reported by the Superintendent or designee to the Board, at a regularly scheduled meeting. No later than October 15 of each year, the Superintendent or designee shall provide the same information for the current school year, as well as information regarding the district's status as a school district of choice in the upcoming school year, to each geographically adjacent school district, the county office of education, and the Superintendent of Public Instruction. (Education Code 48313)

The district's compliance with specified program requirements shall be reviewed as part of the annual district audit conducted pursuant to Education Code 41020. (Education Code 48301)

OPTION 2 ENDS HERE

Instruction Collaboration Agreements

The Superintendent or designee may, with board approval, enter into an instruction collaboration agreement (ICA) with another school district, county office of education or charter school to offer the same or similar courses and coursework to students who have been impacted by any of the following: (Education Code 48345)

1. Disruptions or cancellations in science, technology, engineering, and mathematics (STEM) classes
2. Disruptions or cancellations in dual language immersion programs
3. Teacher shortages in STEM classes or dual language immersion programs
11. Prior to accepting students for classes for any of the reasons specified in Items #1-3 above, the Superintendent or designee shall, with Board Approval, determine the maximum number of students that the district can accept for these purposes. The district shall accept students who apply until the district is at maximum capacity.

Students shall be admitted to this program through an unbiased process that prohibits an inquiry into, or evaluation or consideration of, whether a student should be authorized to participate in the course or coursework based upon the student's current academic or athletic performance, proficiency in English, physical condition, any of the

individual characteristics specified in Education Code 200, or family income. If the number of applicants exceeds the number of seats available, the approval for participation shall be determined by a random public drawing at a regularly scheduled Board meeting. (Education Code 48345)

The Superintendent or designee shall publicly post information, including, but not limited to ~~bullying committed by means of an electronic act.~~

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~~Assault or battery upon any school employee, applicable forms and timelines for submission pursuant to the ICA, to ensure that students and their families are aware of the opportunities to participate. (Education Code 48345)~~

When negotiating the ICA, the Superintendent or designee shall collaborate with the other participating LEA(s) to agree upon an appropriate shared cost structure. (Education Code 48345)

Transportation

Upon parent/guardian request, the district shall provide transportation assistance to a student receiving an interdistrict transfer who is eligible for free and reduced-price meals and is the child of an active duty military parent/guardian or a victim of bullying, as defined in Education Code 46600. (Education Code 46600)

In addition, upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for any interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.

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 Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Description

CA Constitution Article 1, Section 31	<u>Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin</u>
Ed. Code 41020	<u>Requirement for annual audit</u>
Ed. Code 46600-46611	Interdistrict attendance agreements
Ed. Code 48204	<u>Residency requirements for school attendance</u>
Ed. Code 48300-48317	<u>Student attendance alternatives; school district of choice program</u>
Ed. Code 48900	<u>Grounds for suspension or expulsion</u>
Ed. Code 48915	<u>Expulsion; particular circumstances</u>
Ed. Code 48915.1	<u>Expelled individuals; enrollment in another district</u>
Ed. Code 48918	<u>Rules governing expulsion procedures</u>
Ed. Code 48980	<u>Parent/Guardian notifications</u>
Ed. Code 48985	<u>Notices to parents in language other than English</u>
Ed. Code 52317	<u>Regional Occupational Center/Program; enrollment of students; interdistrict attendance</u>
Ed. Code 8151	<u>Apprentices; exemption from interdistrict attendance agreement</u>
Management Resources	Description
Attorney General Opinion	84 Ops.Cal.Atty.Gen. 198 (2001)

Attorney General Opinion	87 Ops.Cal.Atty.Gen. 132 (2004)
Court Decision	Walnut Valley Unified School District v. the Superior Court of Los Angeles County (2011) 192 Cal.App.4th 234
Court Decision	Crawford v. Huntington Beach Union High School District (2002) 98 Cal.App.4th 1275
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>California Department of Education</u>
Website	<u>CSBA</u>

Cross References ¶¶

Code ¶¶	Description ¶¶
1312.3 ¶¶	<u>Uniform Complaint Procedures ¶¶</u>
1312.3 ¶¶	<u>Uniform Complaint Procedures ¶¶</u>
1312.3 - E PDF(1) ¶¶	<u>Uniform Complaint Procedures ¶¶</u>
3460 ¶¶	<u>Financial Reports And Accountability ¶¶</u>
3460 ¶¶	<u>Financial Reports And Accountability ¶¶</u>
3540 ¶¶	<u>Transportation ¶¶</u>
3540 ¶¶	<u>Transportation ¶¶</u>

3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5111	Admission
5111	Admission
5111.1	District Residency
5111.1	District Residency
5112.2	Exclusions From Attendance
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5116	School Attendance Boundaries
5116.1	Intradistrict Open Enrollment
5116.1	Intradistrict Open Enrollment
5131.2	Bullying
5144.1	Suspension And Expulsion/Due Process

5144.1	Suspension And Expulsion/Due Process
5145.6	Parent/Guardian Notifications
5145.6 E PDF(1)	Parent/Guardian Notifications
5145.6 E PDF(2)	Parent/Guardian Notifications
5148	Child Care And Development
5148	Child Care And Development
6146.3	Reciprocity Of Academic Credit
6146.3	Reciprocity Of Academic Credit
6173.1	Education For Foster Youth
6173.2	Education Of Children Of Military Families
6173.2	Education Of Children Of Military Families
7160	Charter School Facilities
7160	Charter School Facilities
9000	Role Of The Board

Code

Description

1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1312.3-E(2)	<u>Uniform Complaint Procedures</u>
3460	<u>Financial Reports And Accountability</u>
3460	<u>Financial Reports And Accountability</u>
3540	<u>Transportation</u>
3541	<u>Transportation Routes And Services</u>
3553	<u>Free And Reduced Price Meals</u>
3553	<u>Free And Reduced Price Meals</u>
5020	<u>Parent Rights And Responsibilities</u>
5020	<u>Parent Rights And Responsibilities</u>
5111	<u>Admission</u>
5111	<u>Admission</u>
5111.1	<u>District Residency</u>
5111.1	<u>District Residency</u>

5112.2	<u>Exclusions From Attendance</u>
5113.1	<u>Chronic Absence And Truancy</u>
5113.1	<u>Chronic Absence And Truancy</u>
5113.12	<u>District School Attendance Review Board</u>
5113.12	<u>District School Attendance Review Board</u>
5116	<u>School Attendance Boundaries</u>
5116.1	<u>Intradistrict Open Enrollment</u>
5116.1	<u>Intradistrict Open Enrollment</u>
5119	<u>Students Expelled From Other Districts</u>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5145.6	<u>Parent/Guardian Notifications</u>
5145.6-E(1)	<u>Parent/Guardian Notifications</u>
5148	<u>Child Care And Development</u>

5148	<u>Child Care And Development</u>
6146.3	<u>Reciprocity Of Academic Credit</u>
6146.3	<u>Reciprocity Of Academic Credit</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6173.2	<u>Education Of Children Of Military Families</u>
6173.2	<u>Education Of Children Of Military Families</u>
7160	<u>Charter School Facilities</u>
7160	<u>Charter School Facilities</u>
9000	<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>