

Regulation 5117: Interdistrict Attendance

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Status: Revised

Interdistrict Attendance Permits

After the anticipated enrollment of current residents for the transfer year has been determined, the Superintendent or designee may approve inter-district attendance permits for the following reasons:

1. When the student has been determined by staff of either the district of residence or the district of proposed attendance to be a victim of an act of bullying as defined in Education Code section 48900(r). Such a student shall be given, at the request of the student's parents/guardians, priority for interdistrict attendance under any existing interdistrict attendance agreement, or, in the absence of an agreement, shall be given consideration for the creation of a new interdistrict transfer agreement. (Education Code 46600) for one year or less.
6. To allow students to remain with a class graduating that year from an elementary, middle, or senior high school, during that year.
7. To let high school seniors attend the same school they attended as juniors, even if their families moved out of the district during the junior year.
8. 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 year in the district.
9. When recommended by the School Attendance Review Board, 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 a 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.
12. When the transfer would be in the best interests of the student and the district as determined by the Superintendent or designee, based on any lawful, non-arbitrary considerations.

If the application is granted, the Superintendent or designee shall issue an interdistrict attendance permit setting forth the terms and conditions of the student's enrollment in the district, including bases for revocation of the permit, as described in this Regulation.

Interdistrict attendance permits or applications shall not be required for students enrolling in a regional occupational center or program. (Education Code 52317)

Bases for Denial of Application

In accordance with applicable law, the Superintendent or designee may deny an application for an interdistrict attendance permit on any of the following bases:

1. If capacity has been reached in the relevant grade or program based on the actual enrollment figures of current residents and continuing students for the requested transfer year, or the anticipated enrollment figures available as of February 1, or the date of the application, whichever is later, for transfers to take effect in the next school year.

For all student programs, capacity for interdistrict transfer purposes shall be when the school's enrollment at the relevant grade level reaches eighty percent (80%) of capacity, or when the school's total enrollment reaches eighty percent (80%) of capacity.

For Special Education Classes and Programs:

A Resource Specialist Program (RSP)/Specialized Academic Instruction/Mild to Moderate Needs, will be considered at capacity for Interdistrict Transfer Application purposes, either when the case carrier's caseload reaches a student: case carrier ratio of 22:1, or the requested grade is at capacity at the requested school.

A Special Day Class (SDC) Program/Specialized Academic Instruction/Moderate to Intensive Needs, will be considered at capacity for Interdistrict Transfer Application purposes, either when enrollment in the program at the requested grade reaches a student-to-teacher ratio of 12:1, or the requested grade is at capacity at the requested school.

As the District establishes new or different classes or programs for which a capacity limit is not included herein, it may establish appropriate capacity, for Interdistrict Transfer Application purposes, for any such class or program.

Capacity limits are intended to allow space for new resident growth. These capacity limits are intended to allow space for District residents who enroll during the summer or enroll in the program(s) during the school year.

If the number of pending Applications exceeds capacity in a grade or program, the order of consideration will be as follows:

1. First priority consideration will be given to Applications for students who have been the victim of bullying in accordance with Education Code section 48900(r).
2. Second priority consideration will be given to Applications for students who have been enrolled in the district in the school year immediately preceding the requested year of transfer.
3. Third priority consideration will be given to Applications for students who have one or more siblings currently enrolled in the district.

After applying the priorities set forth above, in the event of a tie, a lottery will be held to determine the relative priority of the Applications. Upon reaching capacity in a particular grade or program, the Superintendent or designee shall send to the parents/guardians a Notice of Decision denying their Application and advising that their student's name will be placed on a waiting list unless the parents/guardians request otherwise.

1. The district does not have an appropriate educational program to meet the student's needs.
2. The student's school records for the preceding 12-month period reflect unsatisfactory attendance,

which may include, but is not limited to, a total of three (3) or more unexcused absences and/or unexcused tardy arrivals, or a total attendance rate of less than ninety percent (90%).

3. The student's school records for the preceding 12-month period reflect unsatisfactory academic performance, which may include, but is not limited to, grades that do not "meet standards" in the majority of student's subject areas/courses of study; unexcused, inconsistent completion of homework; regularly coming to class unprepared without an excusable reason; or a failure to maintain a grade point average of at least a 2.0.
4. The student's school records in the preceding 12-month period reflect unsatisfactory behavior, which may include, but is not limited to, a history of disciplinary referral(s), detention(s), suspension(s), recommendation(s) for expulsion, or expulsion(s).
5. The Application is incomplete or contains information that is false or misleading.
6. The Board of Education of the district and the student's district of residence have not entered into an interdistrict attendance agreement. (Education Code 46600)
7. The denial would be in the best interests of the district as determined by the Superintendent or designee based on any lawful, non-arbitrary considerations.

If an Application is denied by the Superintendent or designee, the parents/guardians of the student may appeal to the County Board of Education within 30 days. Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or decisions while expulsion proceedings are pending or during the term of the expulsion (Education code 46601)

Bases for Revocation/Termination of Interdistrict Attendance Permit

Every interdistrict attendance permit shall stipulate the terms and conditions under which the permit may be revoked. (Education Code 46600)

An interdistrict attendance permit may be revoked by the Superintendent or designee for any of the following reasons:

1. Unsatisfactory academic performance (as defined above under Bases for Denial) at the district.
2. Unsatisfactory attendance (as defined above under Bases for Denial) at the district.
3. Providing incomplete, false, or misleading information on the Application.
4. Repeated disruptive or otherwise unsatisfactory conduct in violation of Education Code sections 48900 et seq.
5. Suspension from the district as authorized by Education Code sections 48900 et seq.
6. Recommendation for expulsion or expulsion from the district as authorized by Education Code sections 48900 et seq.
7. Any other lawful, non-arbitrary basis for the district to conclude it would be in the best interest of the student, the student's school, or the district for the interdistrict attendance permit to be revoked.

If an interdistrict attendance permit is revoked by the Superintendent or designee, the parent/guardian of the student may appeal to the Assistant Superintendent of Student Services for further consideration. An appeal must be submitted in writing to the Assistant Superintendent of Student Services and received in

the District Office on or before the fifth calendar day following the date of the Notice of Revocation, excluding Saturdays, Sundays, and days when the District Office is closed, or the right to appeal shall be deemed waived.

Application Procedures and Timeline

An interdistrict attendance enrollment period will be held during February and March for the subsequent school year. During this period, a student may apply to attend a school in the district pursuant to the procedures in this section.

1. The Superintendent or designee shall identify those schools that may have space available for additional students. A list of those schools and the Request for Interdistrict Attendance Permit application shall be available at the district office and on the district's website. The Superintendent or designee will identify available space at each school based on the program capacity of the school, as established by the Board of Education, and the school's expected enrollment of resident students.
2. All applications for interdistrict attendance permits must be approved by the student's district of residence prior to submission to the district.
3. Parents/Guardians should submit applications for interdistrict attendance permits to the Student and Family Engagement/Child Welfare and Attendance Office between February 1 and March 15 of the school year preceding the requested year of enrollment. Applications submitted outside of these dates will be denied. Applications should include a "School Districts of Sonoma County Request for Interdistrict Attendance Permit" application, a copy of the student's current transcript, a copy of the student's attendance report for the prior twelve (12) months, a discipline summary, and a copy of the student's Section 504 Plan or Individualized Education Program (IEP), if applicable.
4. Applications will be considered in two waves: The first wave will include all applications submitted in the first three weeks of the interdistrict attendance enrollment period, and the second wave will include all applications submitted in the second three weeks of the interdistrict attendance enrollment period. After the enrollment priorities have been applied in accordance with this Regulation, if there are more requests for a particular school or program than there are spaces available, a random drawing shall be held from the applicant pool ("lottery") for each wave. A waiting list shall be established to indicate the order in which applicants may be accepted if openings occur during the year. The district will hold lotteries for each wave of applications as necessary.
5. No later than thirty (30) calendar days after receipt of a completed application for an interdistrict attendance permit, the Superintendent or designee shall provide written notification by mail to applicants as to whether their applications have been approved, denied, or placed on a waiting list. If the application is denied, the reasons for denial shall be stated. The Superintendent or designee also shall notify schools of the students assigned or waitlisted at each school via the interdistrict application process.
6. Approved applicants must confirm their enrollment within 10 school days of receipt of the notification letter by bringing the notification letter to the school at which the student will be transferring and completing the registration process. Failure to complete the registration process at the school at which the student will be transferring by end of the regular school year will cause the student's space to be relinquished. If a student is enrolled in his/her second choice school, students may be placed on the waitlist for his/her first choice school by notifying the Director of the Student and Family Engagement/Child Welfare and Attendance Office of a request to be placed on the waitlist within 10 school days of receipt of the notification letter.

7. Once enrolled in a school through an interdistrict attendance permit, a student shall not be required to reapply for readmission on a yearly basis. Parents/guardians shall be required to apply for a new interdistrict attendance permit if the parents/guardians wish to enroll the student at a school in the district other than the school in which he/she is enrolled. Parents/guardians wishing to enroll a student in a different district school must follow the same procedures and timelines outlined above for new requests. Prior approval of an application does not guarantee approval of any subsequent request.
8. The District reserves the right to change the school of enrollment of a child enrolled through an interdistrict attendance permit between school years in order to make space in a school or program for a student who is a resident of the district.

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.

Transportation

The district shall not provide transportation outside the school's attendance area.