

[Buena Park SD](#) | BP 5117 Students  
**Interdistrict Attendance**

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The Governing Board 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 educational programs and services that are available.

(cf. [5116.1](#) - Intradistrict Open Enrollment)

(cf. 5117.1 - Interdistrict Attendance Agreements)

(cf. 5117.2 - Alternative Interdistrict Attendance Program)

(cf. [5145.6](#) - Parental Notifications)

Students who reside in the Buena Park School District may be released for attendance in another school district and pupils may be accepted from another district, under the terms of approved interdistrict agreements.

A pupil who has been determined by personnel of either the district of residence or the district of proposed enrollment to have been the victim of an act of bullying committed by a pupil of the district of residence shall, at the request of the person having legal custody of the pupil, be given priority for interdistrict attendance under any existing interdistrict attendance agreement or, in the absence of an agreement, be given additional consideration for the creation of an interdistrict attendance agreement. (Education Code Section 46600(b)).

Out of district permits may be obtained from the office of the Superintendent and shall not extend beyond the current school year. Parents seeking this permit are required to meet with the appropriate school administrators for the purpose of recommending approval or denial of such request. Approval or denial is made by the Child Welfare and Attendance Officer and may be appealed to the district Appeals Committee and the Board. The Appeals Committee shall review each case and provide a recommendation for the Governing Board's consideration. Students residing within the Buena Park School District boundaries must have interdistrict transfers approved annually. Transfer requests for the succeeding school year will be available the third week of February of the current school year. Prior to the beginning of the succeeding school year, the Superintendent shall notify the parents of students who have not renewed their interdistrict transfer or have been denied an interdistrict transfer for the succeeding school year that they are required to return to their school of residence on the first day of the succeeding school year.

Students may be released to attend school in another district, or accepted for attendance in the Buena Park School District, for the following reasons:

1. To meet the child care needs of the student.
2. A family changes residence during the school year and submits a request to continue their child's education in the former district of residence.
3. Sixth and eighth grade students wish to complete the school year.
4. One or both parents or legal guardian of the student is employed within the boundaries of that school district. (Education Code [48204](#) (f))
5. Siblings of any students currently on interdistrict transfers to avoid splitting the family's attendance.
6. When recommended by the School Attendance Review Board or by county child welfare, probation or social service agency staff in document cases of serious home or community problems which make it inadvisable for the student to attend the school of residence.

Under the Open Enrollment Act SB4 5x, as a parent or legal guardian of a student at a school identified by the State Superintendent of Public Instruction as a "low achieving school," you may submit a request to transfer to another school outside the district prior to January 1 for the following school year. Transportation is not provided.

Limits on Student Transfers Out of the District to a School District of Choice  
The Superintendent may limit the number of student transfers out of the district to a school district of choice based on the percentages of average daily attendance specified in Education Code [48307](#).

In addition, transfers out of the district may be limited during a fiscal year when the County Superintendent of Schools has given the district a negative budget certification or when the County Superintendent 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. (Education Code [48307](#))

(cf. [3100](#) - Budget)

(cf. [3460](#) - Financial Reports and Accountability)

Transportation

Transportation shall not be provided for students attending on an interdistrict agreement. However, upon request, the Superintendent may authorize transportation for students living outside an attendance area to and from designated bus stops within the attendance area if space is available.

(cf. [3250](#) - Transportation Fees)

(cf. [3540](#) - Transportation)

Permits may be canceled if:

1. Excessive tardiness or absence occurs.
2. Continuance would lead to an enrollment overload as defined by district policy or California law.

3. Children are brought to school excessively early and/or left excessively late.
4. Students display unsatisfactory scholarship or citizenship.

#### County Appeals

Following an action by the Governing Board to deny an out of district permit, the Superintendent shall advise parents/guardians of their right to appeal such decision to the County Board of Education. Upon the filing of an appeal with the County Board of Education, the Superintendent shall review the appeal documents and any updated information. The Superintendent, in consultation with the Governing Board President and the County Board of Education, shall have administrative discretion to authorize such permit or proceed to appeal. A child of an active military duty parent/guardian shall not be prohibited from transferring out of the district to a school district of choice, if the other school district approves the application for transfer. (Education Code [48301](#)) (cf. [6173.2](#) - Education of Children of Military Families)

#### Legal Reference:

##### EDUCATION CODE

[41020](#) Annual district audits

[46600-46611](#) Interdistrict attendance agreements

[48204](#) Residency requirements for school attendance

[48300-48316](#) Student attendance alternatives, school district of choice program

[48350-48361](#) Open Enrollment Act

[48900](#) Grounds for suspension or expulsion; definition of bullying

[48915](#) Expulsion; particular circumstances

[48915.1](#) Expelled individuals: enrollment in another district

[48918](#) Rules governing expulsion procedures

[48980](#) Notice at beginning of term

[52317](#) Regional Occupational Center/Program, enrollment of students, interdistrict

attendance

##### ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 132 (2004)

84 Ops.Cal.Atty.Gen. 198 (2001)

##### COURT DECISIONS

Walnut Valley Unified School District v. the Superior Court of Los Angeles County, (2011) 192 Cal.App.4th 234

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

##### Management Resources:

##### CSBA PUBLICATIONS

Transfer Law Comparison, Fact Sheet, March 2011

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Policy BUENA PARK SCHOOL DISTRICT

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