

Administrative Regulation

Interdistrict Attendance Agreements

AR 5117.1

Students

The Superintendent or designee may approve interdistrict attendance agreements for the following reasons:

1. When the student has been determined by staff of either the district of residence or district of proposed attendance to be a victim of an act of bullying as defined in Education Code 48900(r). Such a student shall be given 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 permit. (Education Code 46600)

2. To meet the child care needs of the K-8 student whose parents' are "physically employed" within the receiving district boundaries (Education Code 48204) Post office boxes will not be considered as proof of employment.

Education Code 48307 allows districts of residence to limit transfers out to 3 percent of its current year estimated ADA.

3. When the student has brother(s) or sister(s) attending the same school in a receiving district, to avoid splitting the family's attendance

4. To complete a school year when parents/guardians have moved out of the district during that year and the student shall enroll in SLVUSD the following fall.

5. To allow students to remain with a class graduating that year from an elementary, middle or senior high school

6. To let seniors attend the same school they attended as juniors, even if their families moved out of the district during the junior year

7. When the parent/guardian provides written evidence that the family will be moving to the receiving district in the immediate future and would like the student to start the year in that district. Written evidence shall include two pieces of proof of the impending move: escrow papers, MLS listing, rental agreement from your landlord stating that you will be residing in the property (including name and phone number of landlord, accompanied with a copy of your receipt or cancelled check reflecting your deposit and/or rental payment.

8. When the student will be living out of the district only for one year or less. Written evidence shall include three identifying pieces of evidence. Proof of residence - if you own property in which you reside, you must supply: (1) County tax bill or escrow papers in your

name showing residence property address. (2) PG&E, telephone and one bill (physician, Visa, etc.) mailed to you at that address. (3) Current DMV vehicle registration showing same residence property listed as other

bills. If you will be renting a property in which you will reside, you must supply: (1) Office rental agreement from your landlord stating that you will be residing in the property (including name and phone number of landlord, accompanied with a copy of your receipt or cancelled check reflecting your deposit and/or rental payment. (2) PG&E, telephone and one other bill.

9. When there is valid interest in a particular educational program not offered in the district of residency and the program is offered at that grade level. The student must demonstrate that he/she is eligible for such a program. Should the student fail to continue the program, then the student shall return to SLVUSD. Secondary level: year two course work and grade eligibility will be required annually with application.

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

Interdistrict attendance agreements or applications shall not be required for students enrolling in a Regional Occupation Center or Program. (Education Code 52317)

A student's interdistrict agreement may be revoked because of excessive truancy or continual disruption of the educational program.

(cf. 5144 - Discipline)

Transportation

Transportation shall not be provided for students admitted pursuant to an interdistrict attendance agreement.

(cf. 3250 - Transportation Fees)

Denial of Interdistrict Transfer Agreement

The Superintendent or designee may deny initial requests for interdistrict attendance agreements if the school's facilities are overcrowded at the relevant grade level. However, once a student is admitted based on child care needs, his/her continued attendance may not be denied because of overcrowding.

Interdistrict transfer requests that are denied by the Superintendent or designee shall be referred to the San Lorenzo Valley Unified School District Governing Board for action. Parents will be given a five minute timeframe in which to present their case for appeal in an Open Board meeting. If the Board denies the transfer, the Superintendent or designee shall notify the parents/guardians of a student who is denied interdistrict transfer attendance

regarding the process for appeal to the County Board of Education as specified in Education Code 46601.

(cf. 5145.6 - Parental Notifications)

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)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Effective June 13, 2008, outgoing Interdistrict Transfers will not be accepted or processed from June 15th through September 1st of each school year due to staff work year.

Legal Reference:

EDUCATION CODE

48204 Residency requirements for school attendance

46600-46611 Interdistrict attendance agreements

ATTORNEY GENERAL OPINIONS

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