

## **REVISED ADMINISTRATIVE REGULATION**

**MBUSD**

**AR 5117 (a)**

### **STUDENTS**

#### **INTERDISTRICT ATTENDANCE**

Interdistrict attendance permits will be granted by the district according to the policy/regulation established by the Governing Board.

When appropriate and sufficient space is available, the Superintendent or designee may approve interdistrict attendance permits on a case by case basis for various reasons, including, but not limited to the following prioritized categories, before considering other permit requests:

1. The student's parent/guardian is a Manhattan Beach Unified School District employee. Notwithstanding the timelines set forth in Paragraph 5., below, a student whose parent/guardian is a Manhattan Beach Unified School District employee may apply for, and be granted, an interdistrict attendance permit at any time during a school year.
2. The student is reapplying for an interdistrict attendance permit for the school year immediately following the school year completed pursuant to a permit granted under Paragraph 1, above.
3. The student is a sibling of any student who currently attends a Manhattan Beach Unified School District school, or of a student who graduated from Mira Costa High School in June of the previous school year.
4. The student resides in North Redondo Beach, grades 9 through 12.
5. The student's parent/guardian is a City of Manhattan Beach employee.
6. The student 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. (Education Code 46600(b).)
7. The student has a valid interest in a particular educational program not offered in the district of residence.

When parent(s)/guardian(s) move out of the district during an academic year, the student may complete the academic year during which his/her parent(s)/guardian(s) moved out of the district. These permits are not subject to available space or the prioritized categories listed above, but are subject to approval/release by the student's new district of residence and are automatically terminated upon completion of that school year regardless of the students' grades or grade ranges.

## **REVISED ADMINISTRATIVE REGULATION**

**MBUSD**

**AR 5117 (b)**

**STUDENTS**

**INTERDISTRICT ATTENDANCE**

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. The Manhattan Beach Unified School District does not accept interdistrict attendance agreements/permits based solely on child care needs or the location of a parent's/guardian's employment within the district.

The Superintendent or designee will maintain a list of applications for individual interdistrict attendance agreements/permits, and will date stamp and rank them within each category according to when the district receives the official completed application. When multiple applications are received on the same day, the applications will be time stamped.

The following is the procedure for processing applications for interdistrict attendance agreements/permits:

1. For K-8 students, parent(s)/guardian(s) may initiate the process by either obtaining the Manhattan Beach Unified School District Interdistrict Attendance Agreement/Permit Application and having the district of residence sign the form, confirming its agreement, or if the district of residence will not sign the Manhattan Beach Unified School District Application form, the district will accept the district of residence's official method/manner (e.g., signature on district of residence form, approval via email, etc.) of signifying its release of the student and approval of the interdistrict agreement/permit terms, which shall be attached to the district's Interdistrict Attendance Agreement/Permit Application (Application). For 9-12 students, parents/guardians may initiate this process by using the Manhattan Beach Unified School District Application or the application form/release from their school district of residence (DOR Application).
2. The district will require the parent/guardian to submit supporting documentation on behalf of the student that verifies his/her satisfactory past school attendance, achievement, and behavior.
3. All incoming student applicants must have at least a 3.25 GPA to be considered for an interdistrict attendance agreement/permit.
4. The parent/guardian delivers the signed and completed Application (or DOR Application for 9-12 students) to the Manhattan Beach Unified School District. If/when the district of residence has denied a request for release, and parent/guardian has initiated a valid appeal, the Application/DOR Application will be considered completed for purposes of date and time

## **REVISED ADMINISTRATIVE REGULATION**

**MBUSD**

**AR 5117 (c)**

### **STUDENTS**

#### **INTERDISTRICT ATTENDANCE**

stamping so long as parent/guardian concurrently submits sufficient proof of the initiation of the appeal, and all other application requirements are satisfied. If such appeals are not granted by the date on which the district grants/denies permit applications, those applications shall be denied by the district. The completed Application/DOR Application is date stamped on the day it is received by the district.

5. The Superintendent or designee shall approve or deny each application according to the following timelines:

a. Applications/DOR Applications filed prior to the start of the school year must be decided upon within 14 days after the school year begins.

b. Applications/DOR Applications filed during a school year for that school year will not be accepted and automatically will be deemed denied without any written or verbal response.

6. If the Superintendent or designee approves the Application/DOR Application, he/she shall sign the interdistrict attendance permit Application/DOR Application and mark it "approved." One copy shall be provided to the district school that the student will attend, one copy shall be filed at the district office, and one copy shall be provided to the student's district of residence.

#### **Interdistrict Attendance Permits**

An interdistrict attendance agreement/permit shall not exceed a term of the grade range in which it was originally granted. Grade ranges are as follows: (1) Elementary School (K - 5th Grade); (2) Middle School (6th - 8th Grade); and (3) High School (9th - 12th Grade). When an interdistrict agreement/permit student reaches the end of one grade range, he/she must re-apply for a new interdistrict attendance agreement/permit for the next grade range in accordance with BP/AR 5117. Each District Application agreement/permit shall stipulate the terms and conditions under which interdistrict attendance permits shall be granted, denied, or revoked, as well as any standards for re-application. (Education Code 46600) If/when a 9-12 grade student's permit is granted based on DOR Applications, the terms and conditions under which such permit shall be revoked shall be based upon the Manhattan Beach Unified School District's AR 5117, regardless of whether the DOR Applications include conflicting or different terms and conditions.

Students admitted to the district by interdistrict attendance agreement/permit may continue to attend district schools until the end of the grade range in which the permit was originally granted as long as space is available, and as long as they attend school regularly, maintain at least a 2.0 grade point average, and obey school rules.

## REVISED ADMINISTRATIVE REGULATION

**MBUSD**

**AR 5117 (d)**

### STUDENTS

#### INTERDISTRICT ATTENDANCE

Interdistrict attendance agreements/permits may be denied or revoked by the Superintendent or designee for various reasons, including, but not limited to, the following:

1. Upon a determination that approval of the interdistrict agreement/permit would negatively impact the capacity of a program, class, grade level, or school building, such as:

a. The site, classroom, or program would exceed the maximum student-teacher ratio specified in the district's collective bargaining agreement;

b. The site, classroom, or program would exceed the maximum established by the Board pursuant to Board Policy 6151;

c. The site or classroom would exceed the physical capacity of the facility pursuant to the district's facilities master plan or other facility planning document; or

d. The class or grade level would exceed capacity pursuant to items #a - #c above in subsequent years as the student advances to other grade levels at the school.

*(cf. 6151 - Class Size)*

*(cf. 7110 - Facilities Master Plan)*

2. Upon a determination that approval of the interdistrict agreement/permit would have an adverse financial impact on the district, such as requiring:

a. The hiring of additional certificated or classified staff;

b. The operation of additional classrooms or instructional facilities; or

c. Expenses incurred by the district that would not be covered by the apportionment of funds received from the state resulting in a reduction of the resources available to resident students.

3. A new program or service would be required to serve the student.

4. The student does not profit from instruction and/or disrupts the learning environment. This may include discipline referrals, and/or excessive tardies or absences. Additionally, students must have at least a 3.25 grade point average to be admitted to a district school on an interdistrict

## **REVISED ADMINISTRATIVE REGULATION**

**MBUSD**

**AR 5117 (e)**

### **STUDENTS**

#### **INTERDISTRICT ATTENDANCE**

attendance agreement/permit; once enrolled in the district, the interdistrict attendance agreement/permit student must maintain a 2.0 grade point average.

5. The parent/guardian made false statements or misrepresentations when applying for the current or a past individual interdistrict attendance agreement/permit.
6. The student has adjustment problems and/or the welfare of the student and/or of other students is compromised or endangered. This may include, but is not limited to, lack of before or after-school care.

*(cf. 5113.1 - Chronic Absence and Truancy)*

#### **Appeal Process for Denials or Revocation of Interdistrict Attendance Agreements/Permits**

The parent/guardian of a student whose request for an individual interdistrict attendance agreement/permit to attend the Manhattan Beach Unified School District is denied shall be given timely notice, including a specific reason for the action and information about the district appeal process.

A parent/guardian may appeal the district's denial or revocation of an individual interdistrict attendance agreement/permit by filing a written request of appeal with the Superintendent or designee within 10 days of the receipt of the written notification of denial.

If the appeal is granted for the issuance of an interdistrict attendance agreement/permit, the student will be enrolled, or continue to be enrolled, in a district school. If the appeal is denied, the parent/guardian will be notified in writing by the district. This decision shall be final with regard to revocations. If the appeal of a denied permit is not granted, the parent/guardian will also be notified in writing that he/she has 30 calendar days to initiate an appeal of that decision to the Los Angeles County Office of Education, whose decisions will be final.

If a student is enrolled in a district school on an interdistrict attendance permit that is revoked, and an appeal is timely filed, the student will be allowed to continue to attend a district school until the Superintendent or designee issues his/her decision on the appeal. If this appeal is denied by the Superintendent or designee, the student will be withdrawn immediately from the district.

All individual interdistrict attendance agreements/permits must be approved by the Superintendent or designee in accordance with Board policy/regulation. The parent/guardian of a

## **REVISED ADMINISTRATIVE REGULATION**

**MBUSD**

**AR 5117 (f)**

### **STUDENTS**

#### **INTERDISTRICT ATTENDANCE**

student on an individual attendance agreement/permit is responsible for all transportation of the student to and from a district school, and must provide school officials with assurance that he/she will be responsible for providing the student with before and after-school care

The district shall not knowingly accept students who are not district residents without an interdistrict attendance agreement/permit, unless expressly authorized under the Education Code. Interdistrict attendance permits will not be required for students enrolling in ROC or in ROP. (Education Code 52317)

Students who are under consideration for expulsion, or who have been expelled pursuant to Sections 48915 and 48918, may not appeal the denial or revocation of an interdistrict permit while expulsion proceedings are pending, or during the term of expulsion.

Existing interdistrict attendance permits shall not be rescinded for students entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

*(cf. 5119 - Students Expelled from Other Districts)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

Regulation MANHATTAN BEACH UNIFIED SCHOOL DISTRICT

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