

**Students**

**INTERDISTRICT ATTENDANCE**

The Governing Board recognizes that parents/guardians of students who reside in one district may, for a variety of reasons, choose to enroll their child in a school in another district.

(cf. 0520.3 - Title I Program Improvement Districts)  
(cf. 5111.12 - Residency Based on Parent/Guardian Employment)  
(cf. 5116.1 - Intradistrict Open Enrollment)  
(cf. 5118 - Open Enrollment Act Transfers)

**Interdistrict Attendance 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 the districts. (Education Code 46600)

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

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, 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.

**Transportation**

The district shall not provide transportation beyond any school attendance area. Upon request, the Superintendent or designee may authorize transportation for interdistrict transfer students to and from designated bus stops within the attendance area if space is available.

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

Legal References: continued (see next page)

**INTERDISTRICT ATTENDANCE (continued)**

Legal References: (continued)

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

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>

7/14/93, 2/95  
(10/93 2/95) 7/04  
8/10/05, 11/07  
4/9/08  
5/11  
12/12  
6/22/16  
2/13/18

**Students**

**INTERDISTRICT ATTENDANCE**

**Interdistrict Attendance Permits**

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a student's attendance outside his/her district of residence may be issued upon approval of both the district of residence and the district of proposed attendance.

The Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:

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)

(cf. 5131.2 – Bullying)

2. To meet the child care needs of the student. Such students may be allowed to continue to attend district schools only as long as they continue to use a child care provider within district boundaries.
3. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel

(cf. 6159 - Individualized Education Program)

4. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance
5. To allow the student to complete a school year when his/her parents/guardians have moved out of the district during that year
6. To allow the student to remain with a class graduating that year from an elementary, junior, or senior high school
7. To allow a high school senior to attend the same school he/she attended as a junior, even if his/her family moved out of the district during the junior year

**INTERDISTRICT ATTENDANCE (continued)**

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 the student will be living out of the district for one year or less
10. 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

(cf. 5113.1 - Chronic Absence and Truancy)

11. When there is valid interest in a particular educational program not offered in the district of residence
12. To provide a change in school environment for reasons of personal and social adjustment

The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district may not deny him/her continued attendance because of overcrowded facilities at the relevant grade level.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Within 30 days of a request for an interdistrict permit, the Superintendent or designee shall notify the parents/guardians of a student who is denied interdistrict attendance regarding the process for appeal to the County Board of Education as specified in Education Code 46601. (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 466)

**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 48307)

**INTERDISTRICT ATTENDANCE (continued)**

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.

(cf. 3100 – Budget)

(cf. 5119 - Students Expelled from Other Districts)

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

Once a student is admitted to a school on the basis of an interdistrict attendance permit, he/she shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school in which he/she is enrolled, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall not be rescinded for students entering grade 11 or 12 in the subsequent school year. (Education Code 46600)