

# Jacoby Creek School

## Interdistrict Attendance

BP 5117

### Students

The Governing Board recognizes that parents/guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

### Agreement for Interdistrict Attendance

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. 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)

In accordance with the Revised 2018 Humboldt County Multi-District Agreement (“Agreement”) between the Governing Board and the other parties to the Agreement, 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 enrollment. While the District is a party to the Agreement, the Board and Superintendent or designee shall not modify this board policy and/or associated administrative regulation without first referencing the Agreement, to ensure consistency between policies, regulations and the Agreement.

The Agreement specifies that parents/guardians must annually reapply for admission of a student from December 1 through February 1 (or the first school day thereafter if February 1 is on a weekend) to apply for continued attendance.

### Interdistrict Attendance Permits

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 Agreement and, where no agreement exists between the two districts, in accord with Education Code. If a request for an interdistrict transfer is initiated at the district of proposed enrollment, the district of proposed enrollment will immediately transfer the request to the district of residence for the initial decision to approve or deny.

### Revocation of Interdistrict Permits

The Agreement specifies that individual permits may be revoked “pursuant to the policies and

regulations of either the [district of proposed enrollment] or [district of residence], or as set forth on the interdistrict permit itself, as permitted by law.”

Bases for revocation of an interdistrict transfer permit may be found in the associated administrative regulation and on individual permits.

Neither a district of residence nor district of proposed enrollment may revoke an interdistrict transfer permit for a student after June 30 following the completion of grade 10, or for pupils in grades 11 or 12 for the subsequent school year.

If a school district revokes an interdistrict permit, it will promptly provide written notice of the revocation to the district of residence.

### **Parent/Guardian Right to Notice and Appeal**

If the District denies a parent/guardian’s request for an interdistrict transfer, the District shall advise the parent/guardian in writing of their right to appeal to the Humboldt County Board of Education within 30 days of the date of the final denial by the District.

Any written notice to parent/guardian regarding a school district’s decision about a request for an interdistrict transfer shall conform to the translation requirements of Education Code Section 48985, and may be provided through any of the following methods:

1. Regular mail.
2. Electronic format, if parent provides an email address.
3. By any other method normally used to communicate with parents in writing.

### **Transportation**

The district shall not provide transportation beyond any school attendance area, unless otherwise required by law. Upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for an interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.

### **Website Access**

The District shall post on its website the procedures and timelines, including a link to this policy and the associated administrative regulation, regarding an interdistrict transfer permit, in accord with Education Code section 46600.2 (AB 2826 [2019]).

Legal Reference:

EDUCATION CODE

41020 Annual district audits

46600-46611 Interdistrict attendance agreements

48204 Residency requirements for school attendance

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

#### CALIFORNIA CONSTITUTION

Article 1, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin

#### 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:

##### WEB SITES

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

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

Date of adoption: December 10, 2018