



Book	Policy Manual
Section	5000 Students
Title	INTERDISTRICT ATTENDANCE
Code	5117 AR
Status	Active
Adopted	May 20, 1997
Last Revised	February 2, 2021
Last Reviewed	May 23, 2019
Prior Revised Dates	August 22, 2013

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a student of either district to enroll in the other district may be issued upon approval of both districts.

In accordance with 46600(a)(2), the agreement made between the district of residence and the district of proposed attendance may contain standards for reapplication agreed to by the district of residence and the district of proposed attendance that differ from the requirements prescribed by paragraph (a)(1) of 46600. Annual reapplication for all interdistrict attendance permits for students coming into the Solana Beach School District will be required based on the potential for overcrowding of school facilities at the relevant grade level.

The district shall post on its website the procedures and timelines for requesting an interdistrict transfer permit, including a link to BP 5117 - Int Attendance. The posted information shall include, but is not limited to: (Education Code 46600.1, 46600.2)

1. The date upon which the district will begin accepting and processing interdistrict transfer requests for the following school year
2. The reasons for which the district may approve or deny a request, and any information or documents that must be submitted as evidence
3. If applicable, the process and timelines by which a denial of a request may be appealed within the district before the district renders decision
4. A statement that failure of a parent/guardian to meet any timelines established by the district shall be deemed an abandonment of the request
5. Applicable timelines for processing a request, including the following statements:
 - a. Interdistrict transfer requests will be accepted beginning May 15 for each upcoming school year.
 - b. For an interdistrict transfer request received by the district 15 or fewer calendar days before the commencement of instruction in the school for which the transfer is sought, the district will notify the parent/guardian of its final decision within 30 calendar days from the date the request was received.
 - c. For an interdistrict transfer request received by the district more than 15 days before the commencement of instruction in the school for which the interdistrict transfer is sought, the district will notify the parent/guardian of its final decision as soon as possible, but no later than 30 calendar days after the commencement of instruction in the school year for which transfer is sought.
6. The conditions under which an existing interdistrict transfer permit may be revoked or rescinded

Transfer into the District

Priority for interdistrict attendance shall be given to a student who has been determined through an investigation by either the district of residence or the district of proposed enrollment, to be a victim of an act of bullying, as defined in Education Code 48900(r), committed by a student of the same district of residence. (Education Code 46600)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5131.2 - Bullying)

Until the district is at maximum capacity, the district shall accept any student whose interdistrict transfer application is based on being the victim of bullying or a child of an active duty military parent/guardian. The district shall ensure that such students are admitted through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics set forth in Education Code 220, including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status. (Education Code 46600)

In addition, the Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stated in the agreement:

1. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance
2. To allow the student to complete a school year when the student's parents/guardians have moved out of the district during that year

NOTE: Any students moving after Spring Break may be granted an interdistrict transfer agreement to allow them to complete that school year if the district's size and fiscal impact allow and if parents have not falsified residency information in the past.

3. To allow the student to remain with a class promoting that year from an elementary to middle school
4. 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 school year in the district

The student must remain enrolled and attend school in the district of residence, a charter school, a private school, or other option complying with California compulsory education requirements pending the application process for an interdistrict attendance permit.

Every interdistrict attendance permit shall stipulate the terms and conditions under which the permit may be revoked. (Education Code 46600)

The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of the school facilities at the relevant grade level, or other considerations that are not arbitrary.

If the transfer request is for a school year that begins within 15 calendar days of the receipt of the request, the Superintendent or designee shall provide the parent/guardian of the final decision within 30 calendar days of receiving the request. If the transfer request is for a school year that begins more than 15 calendar days after the receipt of the request, the parent/guardian shall be notified of the final decision as soon as possible, but no later than 30 calendar days after the commencement of instruction during that school year. (Education Code 46600.2)

If a student's interdistrict transfer request is denied, the parent/guardian may appeal the decision to the Coordinator of Student Services within five calendar days. A meeting will be scheduled with the parent/guardian to review the decision, and an appeal panel will render a decision. This decision shall be deemed the final decision of the district. The Superintendent or designee shall, in writing, notify the parents/guardians of their right to appeal to the County Board of Education.

Education within 30 calendar days from the date of the final denial. (Education Code 46600.2) The student must remain enrolled and attend school in the district of residence, a charter school, a private school, or other option complying with California compulsory education requirements pending any appeal.

(cf. 5145.6 - Parental Notifications)

All notices to parents/guardians regarding the district's decision on any request for interdistrict transfer shall conform to the translation requirements of Education Code 48985, and may be provided by regular mail, electronic format if the parent/guardian provides an email address, or by any other method normally used to communicate with parents/guardians in writing. (Education Code 46600.2).

Pending a decision by the two districts or by the County Board on appeal, the Superintendent or designee may provisionally admit a student who is currently attending school in another district for a period not to exceed two school months, provided the district is the district of proposed enrollment. If the decision has been rendered by the conclusion of two school months and the districts or County Board is still operating within the prescribed timelines, the student shall be allowed to continue attending the district school to which the student was provisionally admitted. (Education Code 46603)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or rescissive 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)

Approval Procedures and Guidelines

Students residing in another district and requesting an interdistrict transfer to the Solana Beach School District shall abide by the following procedures:

- a. The parent/guardian of the student applying for an interdistrict transfer shall obtain the San Diego County Board of Education Form 341 (Exhibit 1) from the district of residence and shall complete Section A of that form. The "Reason for Request" section of that form shall be completed in a manner that is explicit, thorough, and, which establishes as clearly as possible a firm basis for the request. The parent/guardian shall be responsible for delivering the form to the appropriate administrator at the district of residence for processing.
- b. The administrator at the district of residence will complete its section and forward it to the Coordinator of Student Services or designee at the Solana Beach School District.
- c. The Coordinator of Student Services or designee will review the application and make a determination regarding approval or denial of the request based upon the factors set forth in Board Policy 5117 and this regulation. Once the approval or denial of the request for interdistrict attendance has been approved, the Coordinator of Student Services or designee shall distribute copies to the appropriate administrator of the district of residence.

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 46600, 48307)

Approval Procedures and Guidelines

- a. Parent(s)/guardian(s) of students seeking interdistrict transfers may obtain the San Diego County Board of Education Form 341-SS (see Exhibit 1). The form shall be completed and returned to the Coordinator of Student Services or designee.
- b. The Coordinator of Student Services or designee shall forward the form to the district of desired attendance.
- c. The designated administrator of the district of desired attendance will review the application, complete Section C, and return the form to the parent/guardian to bring to the desired district of attendance for approval or disapproval.

Residence Verification

Each student entering the district must submit verification to determine residence within the district pursuant to Board Policy 5111 and its Administrative Regulations.

Procedures for Filing Permits

1. To be considered for an interdistrict attendance permit, the student must have been released from the district of residence.
2. A district permit application, together with the release, must be filed at the office of Student Services at the district.
3. The permit application and supporting evidence will be the basis on which permits are approved or denied.
4. An accurate count of all incoming and outgoing permits will be maintained and kept on file in the Office of Student Services.

Revocation of Permits

Interdistrict permits may be revoked when the Coordinator of Student Services or designee determines any of the following:

1. A student does not profit from instruction and/or disrupts the learning environment. This may include excessive absences, tardiness, poor academic performance, or disciplinary incidents.
2. A student has adjustment problems and/or the welfare of the student or other students is compromised or endangered. This may include behavior that is disruptive or inappropriate before or after school care.
3. There has been a violation of school or district rules and/or procedures.

A parent/guardian has made false statements or misrepresentation in applying for the individual interdistrict permits.

(cf. 5116.1 – Open Enrollment)

(cf. 5145.6 – Parental Notifications)

(10/17 3/19 12/19 2/21)