

**STUDENTS**

**INTER-DISTRICT ATTENDANCE AGREEMENTS AND PERMITS**

**Inter-district Attendance Agreements**

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.

The district shall post on its website the procedures and timelines for requesting an inter-district transfer permit, including a link to BP 5117 – Inter-district 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 inter-district 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 supporting 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 a final 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. For an inter-district transfer request received by the district 15 or fewer calendar days before the commencement of instruction in the school year 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.
  - b. For an inter-district transfer request received by the district more than 15 days before the commencement of instruction in the school year for which the inter-district transfer is sought, the district will notify the parent/guardian of its final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction in the school year for which transfer is sought.
6. The conditions under which an existing inter-district transfer permit may be revoked or rescinded.

Priority for inter-district attendance shall be given to a student who has been determined by staff of either the district of residence or 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 district of residence. (Education Code 46600)

## **Saddleback Valley Unified School District**

### **AR 5117**

Until the district is at maximum capacity, the district shall accept any student whose inter-district transfer application is based on being the victim of an act 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)

The Superintendent or designee may approve inter-district attendance permits for the following reasons:

1. To meet the child care needs of a student (Education Code 46601.5) 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.
2. To meet a child's special mental or physical health needs as certified by Physician, school psychologist or other appropriate school personnel.
3. When a student has a sibling attending school in the receiving district, to avoid splitting the family's attendance.
4. To allow the student to complete a school year when his/her parents/guardians have moved out of the district during that year.
5. To allow the student to remain with a class graduating that year from an elementary, junior or senior high school.
6. To allow a high school senior to attend the same school attended as junior, even if the student's family moved out of the district during the junior year.
7. 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.
8. When the student will be living out of the district only for one year or less.
9. 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.
10. When there is valid interest in a specialized educational program not offered in the district of residence. The student must remain enrolled in that program or the inter-district transfer may be revoked.
11. To provide a change in school environment for reasons of personal and social adjustment.

## **Saddleback Valley Unified School District**

### **AR 5117**

The Superintendent or designee may deny initial requests for inter-district 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 shall not deny continued attendance because of overcrowded facilities at the relevant grade level.

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 notify 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 14 calendar days after the commencement of instruction during that school year. (Education Code 46600.2)

If a student's inter-district transfer request is denied, the Superintendent or designee shall, in writing, notify the parents/guardians of their right to appeal to the County Board of Education within 30 calendar days from the date of the final denial. (Education Code 46600.2)

All notices to parents/guardians regarding the district's decision on any request for inter-district 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 resides 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 not 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 not 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 inter-district attendance denials or rescissions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

Inter-district attendance permits or applications shall not be required for students enrolling in a regional occupational center or program. (Education Code 52317)

Once a student is admitted to a school on the basis of an inter-district attendance permit, the student, shall not be required to reapply for an inter-district transfer and shall be allowed to continue to attend the school of enrollment, unless reapplication standards are otherwise specified in the inter-district attendance agreement. Existing inter-district attendance permits shall not be rescinded after June 30 following a student's completion of grade 10 or for any student entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

## **Saddleback Valley Unified School District**

### **AR 5117**

The district may accept any completed coursework, attendance and other academic progress credited to an accepted student by any fully accredited (WASC) school/district(s) the student has previously attended and may grant academic standing to the student based upon the district's evaluation of the student's academic progress. (Education Code 48309)

The district may revoke a student's permit if the student is recommended for expulsion pursuant to Education Code 48918. (Education Code 48309)

#### **Inter-District Attendance Permits may be revoked immediately if the following occurs:**

1. If a family provides false information about the pupil's address or guardianship.
2. Whenever a pupil is suspended for:
  - a. Possession, under the influence, or furnishing drugs, alcohol, controlled substances or any material represented to be a controlled substance
  - b. Causing, attempted to cause, or threatened physical injury to another person
  - c. Possessed, sold, or furnished firearm, knife, explosive, or other dangerous object
  - d. Committing or attempting to commit sexual assault or battery
  - e. Possession of an explosive
  - f. Committing or attempting to commit robbery or extortion
  - g. Engaged in sexual harassment (excludes grades K-3)
  - h. Attempted to cause, threatened to cause, or participated in an act of hate violence (excludes grades K-3)
  - i. Engaged in harassment threats or intimidation against school district personnel or pupils (excludes grades K-3)
  - j. Made terroristic threats against school officials or school property
3. If a pupil's conduct at the school of choice is such that the pupil is recommended for expulsion or it is determined by the Choice School's administrative staff that the pupil's presence at the school is detrimental to the pupil or other pupils at the school.
4. If student meets criteria for chronic absenteeism (absent 10% or more) at the conclusion of the school year.

#### **Transportation**

The district shall not provide transportation beyond any school attendance area unless required by law.

CSBA: 7/04, 11/05, 11/10, 7/12

SVUSD: 12/04

Reviewed: 11/05 CSBA

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Readopted: 6/13

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