

Coronado USD Board Policy

Interdistrict Attendance- BP 5117

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.

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.

Limits on Student Transfers Out of the District to a School District of Choice

The Superintendent or designee may limit the number of student transfers out of the district to a school district of choice based on the percentages of average daily attendance specified in Education Code 48307.

In addition, transfers out of the district may be limited during a fiscal year when the County Superintendent of Schools has given the district a negative budget certification or when the County Superintendent 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. (Education Code 48307)

Interdistrict Attendance- AR 5117

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)
2. To meet the child care needs of the student. Such a student may be allowed to continue to attend district schools only as long as he/she continues 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.
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, middle, 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.
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.
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.

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)

Pending a decision by the two districts or an appeal by the County Board, the Superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months. (Education Code 46603)

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 46601)

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)

Local Implementation Guidelines

The Superintendent shall encourage the placement of Interdistrict Transfers (IDTs) into classrooms, grade levels, or schools where enrollment is below accepted levels using the following criteria as implementation guidelines:

1. Interdistrict attendance applications may be submitted as early as February 1st of each year preceding the school year for which the transfer is requested.
2. Parents will be notified if the student application has been accepted by May 15th. All other applications not accepted as of May 15th will be placed on a waiting list pending space availability. IDTs based on maximizing grade level must be awarded on a “random and unbiased” basis using the date of the application as the criteria for acceptance. A random drawing may be necessary in the case of two applications bearing the same date.
3. Governing Board allows the Superintendent to accept any number of IDT students in any grade level as long as that number does not exceed the current number of students allowed per classroom by the Education Code or by the current agreement with the Association of Coronado Teachers (ACT).
4. The Superintendent shall determine the approval of an IDT application using the following criteria in this specific order:
 - a. By student living with parents employed in the CUSD at least 10 hours per week according to Governing Board policy AR 5111.12
 - b. By student who already has a sibling enrolled in the CUSD
 - c. By student living with parents employed within the District boundaries
 - d. By grade level as needed to maximize enrollment
 - e. By other criteria as identified by CA Ed Code or by Governing Board policy AR 5117

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

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

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

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>**Policy adopted by Governing Board October 18, 2012****Policy Revised February 19, 2015**

Residency Based On Parent/Guardian Employment

AR 5111.12

The Governing Board finds that allowing the children of persons employed by the district to attend district schools is beneficial to the district for a variety of reasons, including, but not limited to, allowing the district to recruit and hire desirable employees and strengthening the relationship between employees and the district. For that reason, district residency status shall be granted to a student if at least one parent/guardian is physically employed within district boundaries by the district for at least 10 hours during the school week.

Students enrolled in the district on the basis that at least one parent/guardian is physically employed within district boundaries by the district shall not be required to reapply for enrollment in subsequent school years. Such students may continue to attend school in the district through the highest grade provided by the district, if the parent/guardian so chooses and if at least one of the student's parents/guardians continues to be employed by the district, subject to the restrictions specified in law related to excess costs and negative impact on desegregation plans. (Education Code 48204) The district may require verification that at least one parent/guardian is physically employed within the boundaries of the district annually, periodically, or at such other times as the district determines that such verification is warranted.

Student Placement Upon Enrollment

The district shall place students admitted based on parent/guardian employment within the district at a site or in a class in which there is available space, which may result in the student not being placed in the parent/guardian's choice of school or class. For students who are enrolled pursuant to this Regulation during elementary school, the district school in which the student is initially enrolled shall be deemed the student's elementary school of residence for district purposes. Nothing in this section shall limit the right of any student to apply for intradistrict transfer on the same terms as any other student of the district; however, the school of residency shall remain the school as identified herein.

District Students Transferring to Other Districts Based on Parent/Guardian Employment

When a student's parent/guardian requests that the student be transferred to another district based on the parent/guardian's physical employment within that other district, the district may deny the request if the percentage of district students admitted to other districts on the basis of parent/guardian employment exceeds the limits prescribed in Education Code 48204. A transfer may also be denied if the district determines that the transfer would negatively impact a court-ordered or voluntary desegregation plan. (Education Code 48204)

Regulation approved August 19, 2010 and revised November 17, 2011