

Mark West Union School District Board Policy 5117

**Students
Interdistrict Attendance**

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.

The Governing Board has ultimate authority over general education processes such as interdistrict transfers. Although students have the right under California law to a free, public education, the law does not guarantee that a student can attend the school of his or her choice.

Interdistrict Attendance Agreements and Permits

The district 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 either district (Education Code 46600).

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

When the request of a student seeking to transfer out of the district, or an individual permit verifying another district's approval for its student to transfer into the district, is received, the Superintendent or designee shall review, and approve or deny the request or permit based on the terms and conditions of the interdistrict attendance agreement.

The district may request that discipline and attendance reports, from the student's previous school, be submitted with the request for an interdistrict transfer.

The Superintendent or designees shall ensure that the interdistrict permits specify the terms and conditions agreed to by both districts for the granting, denial, or revocation of the permit as well as the standards for reapplication.

The district's compliance with specified program requirements shall be reviewed as part of the annual district audit conducted pursuant to Education Code 41020.

District residency status will not be granted to a student based on parent/guardian employment within the district's boundaries.

As applicable, the Superintendent or designed may deny a transfer application under any of the following circumstances:

1. Upon a determination that approval of the transfer would negatively impact the capacity of a program, class, grade level, or school building including:

- a. The class or grade level exceeding the district's limits pursuant to the state Class Size Reduction Program. The district reserves the right to hold open (5) five spaces at each grade level at each site in the district for resident students.
 - b. The site, classroom, or program exceeding the maximum student-teacher ratio specified in the district's collective bargaining agreement.
 - c. The site or classroom exceeding the physical capacity of the facility pursuant to the district's facilities master plan or other facility planning document.
 - d. The district limits the number of interdistrict attendance permits issued based on class capacity and service provider capacity for both general education and special education students. The Board authorizes the district superintendent, or their designee, to establish these limits and review or revise annually.
 - e. The class or grade level exceeding capacity pursuant items a-d above in subsequent years as the student advances to other grade levels at the school.
2. Upon determination that approval of the transfer application would have an adverse financial impact on the district including:
- a. The hiring of additional certificated or classified staff
 - b. The operation of additional classrooms or instructional facilities
 - c. Expenses incurred by the district that would not be covered by the apportionment of funds received from the state resulting in a reduction of the resources available to resident students.

The Superintendent may revoke an existing interdistrict transfer permit if a student demonstrates ongoing disciplinary concerns, including involvement in physical altercations, or exhibits poor school attendance, as defined by district policy. Revocation decisions shall be applied consistently and in a nondiscriminatory manner in accordance with applicable law and district procedures.

Transportation

The district shall not provide transportation outside any school attendance area.

State

| State | Description |
|---------------------------------------|--|
| CA Constitution Article 1, Section 31 | <u>Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin</u> |
| Ed. Code 200 | <u>Educational equity</u> |
| Ed. Code 41020 | <u>Requirement for annual audit</u> |
| Ed. Code 46600-46611 | <u>Interdistrict attendance agreements</u> |

| State | Description |
|----------------------|---|
| Ed. Code 48300-48317 | <u>Student attendance</u> <u>Salternatives;</u> <u>school district of choice program</u> |
| Ed. Code 48900 | <u>Grounds for suspension or expulsion</u> |
| Ed. Code 48915 | <u>Expulsion;</u> <u>particular circumstances</u> |
| Ed. Code 48915.1 | <u>Expelled individuals;</u> <u>enrollment in another district</u> |
| Ed. Code 48918 | <u>Rules governing expulsion procedures</u> |
| Ed. Code 48980 | <u>Parent/Guardian notifications</u> |
| Ed. Code 48985 | <u>Notices to parents/guardians in language other than English</u> |
| Ed. Code 52317 | <u>Regional Occupational Center/Program;</u> <u>enrollment of students;</u> <u>interdistrict attendance</u> |
| Ed. Code 8151 | <u>Apprentices;</u> <u>exemption from interdistrict attendance agreement</u> |