

INTER-DISTRICT ATTENDANCE

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.

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.

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.

The Superintendent or designee may deny interdistrict attendance permits because of overcrowding within district schools or limited district resources.

Transportation

The district shall not provide transportation beyond any school attendance area. Upon request, the Superintendent or designee may authorize transportation for interdistrict transfer students to and from designated bus stops within the attendance area if space is available.

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.

The district may deny a transfer of a student out of the district to a school district of choice if the Board determines that the transfer would negatively impact a court-ordered or voluntary desegregation plan of the district.

A child of an active military duty parent/guardian shall not be prohibited from transferring out of the district of a school district of choice, if the other school district approves the application for transfer.

INTER-DISTRICT ATTENDANCE

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	ROP, Enrollment of students, interdistrict attendance

ATTORNEY GENERAL OPINIONS

- 87 Ops. Cal. Atty. Gen. (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 Box 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>

Adopted

Date: 3-14-85
 Revised: 2-13-96, 8-21-00, 3-6-06, 7-28-09, 2-8-11,
 Revised: 12-11-12, 8-2-16

Silver Valley Unified School District