

BOARD POLICY

BP 5117

STUDENTS

Interdistrict Attendance Request

The Board of Trustees 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 Requests (Incoming)

Upon request by students' parents/guardians, the Superintendent or designee may approve Interdistrict Attendance Requests with other districts on a case-by-case basis to meet individual student needs.

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 request for transfer into the District that has been approved by the student's district of residence, the Superintendent or designee shall review the request and may approve or deny the request subject to the terms and conditions of the Interdistrict Attendance Request.

A child of an active military duty parent/guardian shall not be prohibited from transferring out of the District to a school district of choice, if the other school district approves the application for transfer. (Education Code 48301)

The Superintendent or designee may deny Interdistrict Attendance Request because of lack of capacity within District schools or limited District resources.

Transportation

The parent/guardian of a student who is attending a District school with an Interdistrict Attendance Request is responsible for providing transportation for his/her child.

Interdistrict Attendance Permits (Outgoing)

Interdistrict Attendance Requests may be granted as determined by the Superintendent or designee and shall be reviewed annually. Annual documentation is required to determine approval of permit.

The Superintendent or designee shall notify the parents/guardians of a student who is denied Interdistrict attendance regarding the process for appeal at the District level and to the County Board of Education as specified in Education Code 46601.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 5117

STUDENTS

Interdistrict Attendance Request

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 Program/Center, 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: 12/10/91
Policy Revised: 03/01/94
Policy Revised: 10/21/03
Policy Revised: 09/06/11
Policy Revised: 03/07/12
Policy Revised: 02/05/13
Policy Revised: 02/23/16