

Biggs Unified School District

**Process for the
Application and Agreement for Attendance in Another District**

We have attached the following documents:

1. Application and Agreement for Attendance in Another District (REQUEST):
 - ✓ This form expires at the close of the school year of request.
 - ✓ Falsification of information on this form constitutes grounds for cancellation of this permit.
2. Biggs Unified School District Interdistrict Attendance Board Policy and Administrative Regulations 5117 for your information.
 - ✓ If the parent/guardian is employed in the district of request, verification is required before action by Biggs Unified School District.
 - A. The following original documents will be accepted as verification:
 - 1) W2 tax statement
 - 2) Check stub with employer address and employee's name
 - 3) If "1" and "2" above are not available, a letter from the employer may be accepted.

Information on the Process

Before we can take action on your outgoing interdistrict transfer request , our policy requires you meet with the principal. Please call the school to set up an appointment. Grades K-8 call 868-1281, ext. 221 or 223 and Biggs High call 868-1281, ext 271 or 270.

1. REQUESTS for the current school year: As soon as possible, the Superintendent will take action on your REQUEST according to Board Policy 5117 (in this packet). A list of REQUESTS, will be submitted to the Board of Trustees at the next regular meeting. Your REQUEST must be received one week before the Board meeting or it will be listed at the next regular meeting. The Board usually meets on the first Wednesday of each month.
2. As soon as possible, after Board action:
 - 1) Approved REQUESTS will be forwarded to the school of request.
 - 2) Denied REQUESTS will be mailed to you with a copy of your right to appeal with the Butte County Office of Education.

Can you start in the other district now?

Education Code states: "For a period not to exceed two school months, the governing board of a school district may provisionally admit to the schools of the district a pupil who resides in another district, pending a decision of the two boards, or by the county board of education upon appeal, regarding the interdistrict attendance."

INTERDISTRICT ATTENDANCE

The Board of Trustees 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.

(cf. 5111.1 - District Residency)

(cf. 5116.1 - Intradistrict Open Enrollment)

Interdistrict Attendance Agreements and 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.

Transportation

The district shall not provide transportation beyond any school attendance area. Upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for an interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.

Legal Reference: on next page

INTERDISTRICT ATTENDANCE (continued)

Legal Reference:

EDUCATION CODE

41020 Annual district audits

46600-46610 Interdistrict attendance agreements

48204 Residency requirements for school attendance

48300-48317 Student attendance alternatives, school district of choice program

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

48985 Notices to parents in language other than English

52317 Regional occupational center/program, enrollment of students, interdistrict attendance

CALIFORNIA CONSTITUTION

Article 1, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin

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:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

(12/15 10/17) 3/19

Policy
adopted: April 1, 2009
reviewed: 01/12, 03/16, 12/17
revised: May 1, 2019

BIGGS UNIFIED SCHOOL DISTRICT
Biggs, California

INTERDISTRICT ATTENDANCE**Interdistrict Attendance Agreements and Permits**

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 web site the procedures and timelines for requesting an interdistrict transfer permit, including a link to BP 5117 - Interdistrict 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 interdistrict 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 interdistrict 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 interdistrict transfer request received by the district more than 15 days before the commencement of instruction in the school year for which the interdistrict 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 interdistrict transfer permit may be revoked or rescinded

Priority for interdistrict 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)

(cf. 5131.2 - Bullying)

INTERDISTRICT ATTENDANCE (continued)

In addition, 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. To meet the child care needs of the student, only as long as the student's child care provider remains within district boundaries

(cf. 5148 - Child Care and Development)

2. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel

(cf. 6159 - Individualized Education Program)

3. When the 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 the student's 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, middle, or senior high school

6. To allow a high school senior to attend the same school attended as a 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 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

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.12 - District School Attendance Review Board)

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 shall not deny continued attendance because of overcrowded facilities at the relevant grade level.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

INTERDISTRICT ATTENDANCE (continued)

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 interdistrict 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)

(cf. 5145.6 - Parental Notifications)

All notices to parents/guardians regarding the district's decision on any request for interdistrict 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 interdistrict attendance denials or rescissions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

(cf. 5119 - Students Expelled from Other Districts)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Once a student is admitted to a school on the basis of an interdistrict attendance permit, the student shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school of enrollment, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict 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)

INTERDISTRICT ATTENDANCE (continued)

AR 5117(d)

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Regulation
approved: April 1, 2009
revised: 03/11, 01/12, 12/17
reviewed: May 1, 2019

BIGGS UNIFIED SCHOOL DISTRICT
Biggs, California

APPLICATION AND AGREEMENT FOR ATTENDANCE IN ANOTHER DISTRICT

Name of Student(s) _____ Date of Birth _____ Grade _____
_____ Date of Birth _____ Grade _____
_____ Date of Birth _____ Grade _____
_____ Date of Birth _____ Grade _____
Name of Parent _____ Home Phone _____ Bus. Ph. _____
Residence Address _____ Cell Ph. _____
Mailing Address _____

Is the student currently expelled, on a suspended expulsion or discipline contract? Yes No If Yes, explain on separate sheet.

School Now Attending _____

Programs in which student participates: GATE Band Title I Special Education Athletics Other

APPLICATION

I request that my child, named above, be permitted to attend _____ School in the _____
School District during the _____ School Year. Briefly state the reason for the request: _____

AGREEMENT

Met with principal _____ Date _____

In the event this application is approved, I agree and understand that:

1. The above-named student will be transferred back to his/her district of residence if facilities or program become unavailable in the school the student is assigned to attend.
2. If the student demonstrates unsatisfactory attendance, scholarship, or citizenship, approval may be cancelled.
3. Falsification or misrepresentation of information on this form constitutes grounds for refusal or cancellation of this permit.
4. The parent will assume responsibility for all transportation for the above-named student to and from school.
5. This agreement expires at the close of the current school year.

(Signature of Parent/Guardian)

(Printed Name of Parent/Guardian)

Date

RELEASE/DENIAL OF RELEASE BY DISTRICT OF RESIDENCE

The above-named student is released/denied release by the Biggs Unified School District for attendance in the _____ School District.

Signed _____ Title Superintendent Date _____

ACCEPTANCE/DENIAL BY REQUESTED DISTRICT OF ATTENDANCE

The above-named student is accepted for/denied attendance in the _____ School District.
He/She will be assigned to the _____ School.

Signed _____ Title _____ Date _____

In addition to the conditions stated herein, this attendance agreement is subject to all the terms and conditions of the Interdistrict Attendance Agreement currently in effect between the above District of Residence and the District of Attendance. The District of Attendance is to receive the state apportionment for the Average Daily Attendance accrued in the same manner as if the student were a resident of the District of Attendance. No tuition shall be charged.

White: District of Residence

Yellow: District of Attendance

Pink: Parent