

**INTERDISTRICT ATTENDANCE**

The Governing Board recognizes that students who reside in one district may choose to attend school in another district and that such choices are made for a variety of reasons.

*(cf. 0520.3 - Title I Program Improvement Districts)*  
*(cf. 5111.12 - Residency Based on Parent/Guardian Employment)*  
*(cf. 5116.1 - Intradistrict Open Enrollment)*  
*(cf. 5118 - Open Enrollment Act Transfers)*

**Interdistrict Attendance Permits**

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

The Superintendent or designee shall ensure that 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 Superintendent or designee may deny the granting of an interdistrict attendance permit because of overcrowding within district schools or limited district resources.

The Superintendent or designee shall maintain a record of requests for admittance that contains all of the following: (Education Code 48313)

1. The number of requests granted, denied, or withdrawn and, for denied requests, the reason for the denial
2. The number of students transferred out of and transferred into the district pursuant to this program
3. The race, ethnicity, gender, self-reported socio-economic status, and the district of residence for each student in item #2 above
4. The number of students in item #2 above who are classified as English learners or students with disabilities

The Superintendent or designee shall report to the Board, at a regularly scheduled meeting, the information specified in items #1-4 above. By May 15 of each year, the Superintendent or designee shall provide the same information, as well as information regarding the district's status as a school district of choice in the upcoming school year, to each geographically adjacent school district, the county office of education, the California Department of Education, and the Department of Finance. (Education Code 48313)

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The reports to the Board and other agencies shall also include a summary of audit exceptions, if any, resulting from the compliance review of components of the district of choice program conducted as part of the annual district audit. (Education Code 48301, 48313)

**Transportation**

The district shall not provide transportation outside any school attendance area. However, upon request, the Superintendent or designee may authorize transportation for students living outside an attendance area to and from designated bus stops within the attendance area if space is available. Priority for such transportation shall be based on demonstrated financial need.

**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)

*(cf. 3100 - Budget)*

*(cf. 3460 - Financial Reports and Accountability)*

**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*

*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**

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

**Students**

**BP 5117 (c)**

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*Management Resources:*

*WEB SITES*

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

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

**ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT**

Policy adopted: November 13, 1990

Lancaster, California

Policy revised: February 17, 1993; December 7, 2011

**INTERDISTRICT ATTENDANCE**

**Interdistrict Attendance Permits**

The Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons:

1. 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)*

2. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance
3. To allow the student to complete a school year when his/her parents/guardians have moved out of the district during that year
4. To allow the student to remain with a class graduating that year from an elementary, junior, or senior high school
5. 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
6. 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
7. When the student will be living out of the district for one year or less
8. 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)*

9. When there is valid interest in a particular educational program not offered in the district of residence
10. To provide a change in school environment for reasons of personal and social adjustment

An interdistrict attendance permit shall not exceed a term of five years. Each permit shall stipulate the terms and conditions established by both districts under which interdistrict attendance shall be permitted, denied, or revoked, and any standards for reapplication. (Education Code 46600)

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Once a student is enrolled in a school, 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 permit. Existing interdistrict attendance permits shall not be rescinded for students entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

The Superintendent or designee may deny initial requests for interdistrict attendance permits if school facilities are overcrowded at the relevant grade level or based on 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)

(cf. 5145.6 - Parental Notifications)

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)

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