

Bellevue Union School District  
Board Policy  
AR 5117  
Students

Interdistrict Attendance Permit

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 The conditions under which an existing interdistrict transfer permit may be revoked or rescinded:
  - a. Student violates Attendance Agreement: Excessive absence (truancy, tardies, or other absence that could be improved if the child attended a school closer to home)

- b. Student violates Behavior Agreement: Continual disruption of the educational program and/or not meeting accepted standards of behavior per the Student Conduct Manual
- c. Student becomes eligible for a program that is at capacity or impacted

Priority for interdistrict attendance shall be given to a student who has been determined, through an investigation by 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)

Until the district is at maximum capacity, the district shall accept any student whose interdistrict transfer application is based on being the victim of an act of bullying or a child of an active duty military parent/guardian. The district shall ensure that such students are admitted through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics set forth in Education Code 220, including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status. (Education Code 46600)

Unless approval is otherwise required by applicable law, all requests for Interdistrict Attendance Permits for any student in Transitional Kindergarten/Kindergarten, or grades 1-6, inclusive, residing within the District's attendance boundaries to attend a non-resident district school will be denied except as provided herein.

However, 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. When a student has a natural relative (sibling, aunt, uncle, cousin, or grandparent) living within the attendance area of the school of desired attendance that provides child-care for the student. Such students may be allowed to continue to attend district schools only as long as they continue to use a child care provider within district boundaries.
2. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel
3. When the student has a sibling attending the same school in the receiving district on an approved interdistrict transfer agreement, 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
10. When a student's parent/guardian is physically employed within the boundaries of the receiving district for a minimum of 10 hours during the school week subject to the limitations provided in Education Code 48204. Residency status will not be granted to an incoming student based on parent/guardian employment (Allen Bill) within the district. Applicants must use the regular interdistrict attendance permit form.

The Superintendent or designee shall retain the authority to recommend to the District Governing Board that certain requests be approved on a case-by-case basis for extenuating circumstances.

Notwithstanding the above, unless required by law, the District will not approve requests for transfers out of the District that meet or exceed 3 percent (3%) of the District's current year estimated average daily attendance.

An interdistrict attendance permit may be granted for a period of one to five years, and 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)

As applicable, the Superintendent or designee may deny an incoming transfer application under any of the following circumstances:

1. Upon a determination that approval of the transfer application 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
  - 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
2. Upon a 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

Poor attendance, including truancy, chronic tardiness, or other absences from school, may lead to revocation of the interdistrict attendance permit at any time.

Interdistrict Attendance Permits will be reviewed throughout the year based on the following criteria:

1. Behavior - 3 Office Referrals or 1 Suspension
2. Attendance - 3 unexcused absences/10 excused absences
3. Tardies - 10 tardies

Once a student in Transitional Kindergarten/Kindergarten or any of grades 1-6, inclusive, is enrolled in an enrolling district school, he/she shall not be required to reapply for an interdistrict transfer and the governing board of the enrolling district shall allow the student to continue to attend the school in which he/she is enrolled, unless differing reapplication standards agreed to by the district of residence and district of attendance are otherwise specified in the permit. The agreement may stipulate terms and conditions under which the permit may be revoked. (Education Code 46600)

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

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)

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)

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)

#### Reasons for Denial of Interdistrict Attendance Permits

With respect to incoming transfers, the district shall not accept student transfers if they have been suspended or expelled for the following offenses during the current or preceding school year:

1. Causing serious physical injury to another person
2. Possession, use, or sale of a firearm, knife, explosive or other dangerous object
3. Possessed, used, sold, furnished or been under the influence of a controlled substance
4. Unlawfully offered, arranged, or negotiated to sell a controlled substance
5. Committed or attempted to cause damage to school property or private property
6. Stolen or attempted to steal school property or private property
7. Committed an obscene act or engaged in habitual profanity or vulgarity
8. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia
9. Knowingly received stolen school property or private property
10. Committed or attempted to commit a sexual assault
11. Engaged in an act of bullying, including but not limited to bullying committed by means of an electronic act
12. Assault or battery upon any school employee