



INTERDISTRICT APPEAL PROCESS

Public Information Brochure

A Message from the Ventura County Superintendent of Schools

The Ventura County Board of Education (hereafter, "County Board") acts as the appellate body on interdistrict transfers when either the district of residence or the district of proposed enrollment under the jurisdiction of the Ventura County Office of Education (VCOE) denies a request for transfer. Districts that are under the VCOE's jurisdiction include: Briggs, Hueneme, Mesa Union, Mupu School, Ocean View, Oxnard, Pleasant Valley, Rio, Santa Clara, Somis Union, Oxnard Union High, Conejo Valley Unified, Fillmore Unified, Moorpark Unified, Oak Park Unified, Ojai Unified, Santa Paula Unified, Simi Valley Unified, and Ventura Unified.

In hearing appeals, the County Board is committed to fairness and consistency in its decisions. To achieve this goal, the County Board wishes to ensure that community members know how to appropriately exercise their right to appeal.

This brochure is intended to provide the information necessary to assist in appealing a denial of a request for interdistrict transfer. While this information attempts to explain the appeal process, it is not a substitute for important original sources such as the California Education Code (E.C. §46600-46607) or the local school district's policies and procedures pertaining to the interdistrict transfer process.

IMPORTANT NOTE: Only a parent may request a permit and file an appeal. As defined in E.C. §46600.1, "parent" means the natural or adoptive parent or guardian, the person having legal custody, or other educational rights holder.

When May an Interdistrict Attendance Appeal be Filed with the County Board?

An appeal may be filed under two conditions:

1. After a request for an interdistrict transfer has been denied by either the district of residence or the district of proposed enrollment AND, if applicable, the parent has exhausted the appeal process of the denying district ... *OR*
2. When the district has failed to respond in writing to a request for a transfer following the applicable timeline:
 - a. Within 30 calendar days from the date the request was received if such a request is received beginning 15 calendar days before the start of the school year for which the transfer is sought. (This is considered a "current year" request.)

- b. No later than 14 calendar days after the start of the new school year if such a request is received anytime up to 15 calendar days before the start of the school year for which the transfer is sought. (This is considered a “future year” request.)

An appeal cannot be filed, and the County Board will not accept an appeal, if:

1. The parent abandoned the request by failing to meet any timelines established by the district ...OR
2. An existing interdistrict permit has been revoked or rescinded ... OR
3. The district of proposed enrollment issued the denial when no permit was first issued by the district of residence ... OR
4. An interdistrict attendance request submitted for a student who is being considered for expulsion or has been expelled, while expulsion proceedings are pending or during the term of the expulsion.

How is an Appeal Filed?

A complete Interdistrict Attendance Appeal packet must be received by VCOE within thirty (30) calendar days from the date the interdistrict transfer request was denied by either the district of residence or the district of proposed enrollment. Day 1 of the thirty (30) days starts the day after the date of the final notice of denial from the district. If the 30th day falls on a Saturday, Sunday, or holiday, the appeal may be filed the next business day. Filing requires receipt by the Ventura County Superintendent of Schools.

1. The parent begins the appeal process by completing the “Interdistrict Attendance Appeal” form included in this brochure or downloaded from the following website:

<http://www.vcoe.org/About/Board-of-Education/Interdistrict-Appeals>

For a hard copy, please email or call Aurelia Roman at aroman@vcoe.org or (805) 383-1902. The office for filing interdistrict appeals is located at:

Ventura County Office of Education
Administration Offices
5189 Verdugo Way
Camarillo, CA 93012

2. Ensure that the “Interdistrict Attendance Appeal” form is complete and signed and includes the specific reasons for the appeal.

The reason(s) for the appeal must be the same as those stated on the original interdistrict transfer request submitted to the district of residence and district of proposed enrollment. If the reason(s) for the appeal are substantially different than those provided to the district(s), the appeal will not be accepted by VCOE and the parent will be asked to return to the applicable school district for further consideration.

3. Submit the completed “Interdistrict Attendance Appeal” form along with the following documents:
 - a. Copy of the original request for an interdistrict transfer permit
 - b. Copies of all correspondence between the parent and the school district denying the permit (including a copy of the final written response of denial from the district, showing the date of denial);
 - c. Student grade and discipline reports; and,

- d. Additional documents in support of the interdistrict transfer request as specified in this brochure (see the response to “What Will the County Board Consider?”).

An appeal is accepted only upon verification by the County Board’s designee that all appeals within the school district that issued the denial have been exhausted within the statutory timelines.

What Happens Next?

The County Board has thirty (30) calendar days after an appeal is timely filed to conduct a hearing. The Board may extend this period for up to an additional five (5) school days for good cause (E.C. §46601[b]). During this hearing, the County Board will determine whether the parent’s request should be granted.

Upon acceptance of an appeal, all parties to the matter will be notified of the date, time, and place of the scheduled hearing. The notification will also advise all parties of the opportunity to submit written statements and documentation specific to the written request for transfer and/or denial by the school district, and of their right to be heard on the matter.

All documents submitted as part of the appeal will be forwarded to the County Board for review prior to the appeal hearing.

What Will Happen at the Hearing?

Hearings are conducted in open session except when any information presented about the student is determined by the County Superintendent or designee, prior to the hearing, to be confidential information. The County Board may also decide at any time during open session to reconvene in closed session if necessary to protect confidential information about the student that may be presented during the hearing. Regardless of whether the hearing is conducted in open or closed session, any action related to the hearing must be taken in open session.

All hearings are conducted during regular or special Ventura County Board of Education meetings held at the:

Ventura County Office of Education
Conference & Educational Services Center, Board Room
5100 Adolfo Road
Camarillo, CA 93012

It is the intent of the County Board to conduct the hearing in a fair and sufficiently informal manner to encourage open communication and mutual understanding. The hearing will also be conducted in such a manner that no special legal expertise is necessary and so that all parties have the opportunity to present their case fairly and completely. Although formal hearing procedures are not in effect, the parent and/or the district(s) may be represented by legal counsel; the parent may also bring an advocate who is familiar with the student and the reason(s) for the interdistrict transfer request.

Families with multiple appeals may have them heard separately or as one appeal. Regardless of the hearing format, the County Board may decide to issue more than one decision.

What Will the Hearing Procedure Look Like?

When the County Board hears an appeal, the parent, the student (optional, but recommended), and the representative(s) of the district(s) will be seated at a table in front of the County Board. Parents are encouraged to express their concerns or ask questions at any time throughout the hearing process.

The hearing will be conducted as follows:

1. The President of the County Board will preside over the meeting.
2. All parties will be asked to introduce themselves.
3. The student, the parent or a representative of the student will present the reasons for requesting the interdistrict transfer, including any supporting information or documents.
4. A representative of the district denying the request will then describe the actions taken related to the request, including the reason(s) for denying the request.
5. Members of the County Board may then ask questions to further clarify the issues and deliberate.
6. Following deliberations, the President of the County Board will call for a vote. At least three (3) Board members must vote “yes” for the appeal to be granted.

What Will the County Board Consider?

In its discussion and deliberations on an appeal, the County Board will consider the conditions of, and the reasons for, requesting a transfer. The County Board may consider the following factors when hearing appeals:

1. **The student’s psychological or physical well-being.**

A written statement from a qualified professional must support problems with a student’s psychological or physical well-being.

2. **A substantial danger to the student’s health or safety.**

There must be evidence of threats or injuries to the student or evidence that the student’s health, welfare or safety is otherwise in clear, present, and continuing jeopardy or danger at the district of residence. Any danger to the student’s health or safety must be supported by the written statement from a qualified health expert, by police reports, by school records, or by other documentation.

3. **A specialized and specific academic program or service, unavailable in the district of residence, but necessary to the student’s career or academic objectives.**

The parent must demonstrate that the student is, in fact, eligible for and committed to taking or being accepted into this class or program. Such a program or service must be related to the student’s career objectives or academic advancement and not based solely on the student’s interests or desires, or on extracurricular activities or athletics.

4. **Hardship resulting from lack of available or appropriate after-school care options for the student in the district of residence.**

The parent must demonstrate attempts to find appropriate care within the attendance boundaries of the district of residence and must describe these attempts in the written materials provided when the appeal is filed. The address of the existing childcare provider must be provided.

5. **The receiving school is geographically closer to the student’s residence AND such proximity to the school is required for childcare services or other substantial family needs.**

The parent must describe the mileage and/or geographic barriers and must describe, in writing, attempts to secure childcare or attempts to address other specific family needs.

6. **A severe and demonstrated hardship to the student's parents, which could affect the student's success in school.**

The parent must specify and describe the type of hardship in writing; "hardship" excludes inconvenience to the parents or matters of preference.

7. **The student's desire to remain in the student's current school of attendance for the balance of the semester or school year.**

The student's desire may be based on the student's anticipated promotion from the current school of attendance at the end of the semester or school year, or on a need for educational continuity for the remainder of the semester or school year.

8. **The student's plan to change residence, and a substantial likelihood that the change of residence will occur, and the desire to begin the semester or school year in the new school district.**

The parent must offer written proof of their plan to move into the district of proposed enrollment; such written proof may be a rental agreement, a contract to purchase new property, or similar document.

9. **The parent's desire to have the student attend a school in the school district where the parent is currently employed.**

The parent must specify the district/school where they are employed and the position they hold in that school district.

10. **The financial impact of educating the student in the school district of proposed enrollment or of losing the student from the school district of residence.**

In either case, the impacted district(s) must demonstrate in writing that the student's transfer would place an undue hardship on the district's resident students in terms of reduced services or other unacceptable outcomes.

11. **The students demonstrated failure to meet reasonable standards relating to behavior, attendance, or diligence to studies, or the student demonstrated failure to fulfill the conditions, purposes or terms under which a previous interdistrict attendance permit was approved.**

The demonstration of such failure must be based on a written explanation of the district's previous experience with the student under an interdistrict attendance agreement or on other documented evidence.

12. **Lack of space for the student in the district of proposed enrollment.**

The district of proposed enrollment must demonstrate in writing that the student's transfer would result in an undue hardship on the district's resident students in terms of overcrowding and/or would be a violation of district policy or a collective bargaining agreement regarding class size goals.

13. **The negative impact of the student's transfer on a court-ordered or voluntary desegregation plan of either district.**

The district must provide details about the court order or desegregation plan and provide written evidence of the anticipated negative impact of the student's transfer.

14. **The material information provided by the parent is true and correct and that no information was falsified or intentionally omitted.**

The parent must be able to demonstrate that they have not falsified any information related to their efforts to secure an interdistrict attendance permit or seek attendance outside the student's district of residence.

15. **Other exceptional or extraordinary circumstances that would weigh heavily in favor of the student or the affected school district.**

The parent or school district must specify and describe the type of exceptional or extraordinary circumstance and its effect on the student or the resident students of the district.

What are the Possible Appeal Outcomes?

The following is a list of decisions that can be rendered by the County Board and the effects of such decisions on the student and the applicable district:

1. When the County Board remands the matter for further consideration by the district(s), it is because new evidence or grounds for the request are introduced. The expectation is that the issue will be resolved at the district level.
2. When the appeal is denied, the student must enroll in the district of residence or another educational program selected by the parent (*e.g.*, charter school, private school, homeschooling)
3. When the appeal is granted, and the party to the appeal is the:
 - a. District of residence: The student is issued an “outgoing” permit and must request an “incoming” permit from the district of proposed enrollment. The district of proposed enrollment does have the right to deny the request, in which case, another appeal to the County Board having jurisdiction over that district may be filed.
 - b. District of proposed enrollment: The student is admitted to the district of proposed enrollment without delay. The County Board may not order a student to attend a specific school; it may only order for the admission of the student into the district.

What is the Duration of the Interdistrict Transfer

If an appeal is granted for an interdistrict permit under E.C. §46600, the student does not need to reapply for an interdistrict transfer each school year to continue to attend the school in which they are enrolled, except as specified below.

If the district of residence and district of proposed enrollment have entered into an agreement for interdistrict attendance, the agreement may contain standards for reapplication that may either limit the duration of the transfer or require annual reapplication. The agreement may also stipulate terms and conditions under which the interdistrict permit may be revoked. *If the district of proposed enrollment revokes the interdistrict permit based on such terms and conditions, the revocation may not be appealed to the County Board.*

Neither a district of residence nor a district of attendance may rescind existing transfer permits for students after June 30 following the completion of grade 10, or for students in grade 11 or 12.

Will I Get Something in Writing to Take to the District?

Written notice of the decision of the Ventura County Board of Education will be sent to the student and the parent, and to the governing boards of the districts (E.C. §46602).

TO: Ventura County Office of Education
ATTN: Aurelia Roman
5189 Verdugo Way
Camarillo, CA 93012-8603

INTERDISTRICT ATTENDANCE APPEAL

STUDENT INFORMATION:

Name of Student: _____

Date of Birth: _____

School Year Requested: _____

Grade Level Requested: _____

Address of Student:

(Number, Street, Apt. No.)

(City, State, Zip Code)

SCHOOL DISTRICT INFORMATION:

School District of Residence

School District of Proposed Enrollment

School District Now Attending

Name of School

PARENT/GUARDIAN INFORMATION:

Name(s) of Parent/Guardian

Telephone Number

Email Address

Address of Parent/Guardian - ***If different from student*** (Include number, street, Apt. No., City, State, Zip Code)

Name of Attorney or Other Representative, *if any*

Address of Attorney/Representative

Telephone Number

Ventura County Board of Education

Trustee Area

Board Member

Area 1	Ventura, Saticoy, Montalvo, Ojai, Ojai Valley, Oakview, Riverpark, Portions of El Rio, Northwest Oxnard, Meiners Oaks, Wheeler Springs, North Coast	Rachel Ulrich (2026)*
Area 2	Thousand Oaks, Newbury Park, Westlake Village (<i>Ventura County portion</i>), Oak Park, Lake Sherwood, Hidden Valley, Santa Rosa Valley, Portions of Camarillo	Mike Teasdale (2026)*
Area 3	Portions of Camarillo, Port Hueneme, Santa Paula, Fillmore, Piru, Somis, Del Norte Area, Las Posas Valley, East Oxnard Plains, Southeast Oxnard, Portion of El Rio	Richard Lucas III (2028)*
Area 4	Moorpark, Simi Valley, Santa Susana Knolls, Box Canyon, Bell Canyon, Chatsworth Peak, Home Acres, Sinoloa Lake, Tierra Rejada Valley	Arleigh Kidd (2026)*
Area 5	Oxnard, Colonia, Oxnard Shores, Mandalay Bay, Silver Strand, Hollywood Beach, Hollywood By the Sea, Channel Islands Harbor, Nyeland Acres, CSU-Channel Islands Oxnard College, Oxnard Plains, Naval Base VC Port Hueneme	Dr. Ramon Flores (2028)*

*Year Term Expires