

**Interdistrict Attendance Agreements and Permits**

In accordance with an agreement between the district and 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 website the procedures and timelines for requesting an interdistrict transfer permit, including a link to Board Policy 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 The conditions under which an existing interdistrict transfer permit may be revoked or rescinded, including the following reasons:
  - a. A parent/guardian made false statements or misrepresentations in applying for the student's interdistrict transfer permit.
  - b. Any criteria or eligibility required for the permit to be issued has changed.
  - c. The student has committed an act subject to discipline by suspension or expulsion as defined in BP 5144.1.
  - d. The student has excessive absences or tardies.
  - e. The student has not maintained satisfactory grades (failing grade in one or more classes or grade point average below 2.0).

**Procedural Terms and Conditions for Revocation**

Before deciding to revoke an interdistrict transfer permit, the Superintendent or designee shall first invite the pupil and parent or guardian to attend an informal conference at which the pupil and parent or guardian shall be informed of the reason for the proposed revocation and the grounds on which it is based, and given an opportunity to respond. The opportunity to attend such an informal conference shall be the sole procedure by which a pupil, parent, or guardian is entitled to challenge a proposed revocation, and the decision of Superintendent or designee following an opportunity for such an informal conference shall be final.

**Criteria for Approval**

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

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bullying or a child of an active duty military parent/guardian. The district shall ensure that such students are transferred through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether 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)

Additionally, 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. **Specialized Program:** When there is valid interest in a multi-year, academic specialized educational program not offered in the district of residence
2. **Continuing Enrollment:** To allow the student to complete a school year when the student's parents/guardians have moved out of the district during that year; to allow the student to remain with a class graduating that year from an elementary, middle, or senior high school; or 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
3. **Sibling Enrollment:** When the student has a sibling already attending school in the receiving district, to avoid splitting the family's attendance
4. **Parent Employment:** When the parent/guardian provides written evidence that the parent/guardian is employed full-time in the requested district
5. **Exceptions may be granted for extenuating circumstances with relevant supporting documentation**

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 transferred, the district shall not deny

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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 transfer 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 transferred. (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 transferred 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

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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)

#### **Transfers Out of the District**

A student whose parent/guardian is in active military duty shall not be prohibited from transferring out of the district, provided the school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48307)

If the district is unable to provide an intradistrict transfer to a student who is a victim of an act of bullying, as defined in Education Code 46600, the district shall not prohibit the student from transferring out of the district if the district of proposed enrollment approves the application for transfer. (Education Code 46600)

The district may limit transfers out of the district to a school district of choice under any of the following circumstances: (Education Code 48307)

1. The number of student transfers out of the district to a school district of choice has reached the limit specified in Education Code 48307 based on the district's average daily attendance
2. The County Superintendent of Schools has given the district a qualified or negative budget certification or 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
3. The Board determines that the transfer would negatively impact any of the following: (Education Code 48307)
  - a. A court-ordered desegregation plan

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- b. A voluntary desegregation plan of the district, consistent with the California Constitution, Article 1, Section 31
- c. The racial and ethnic balance of the district, consistent with the California Constitution, Article 1, Section 31

Only one interdistrict permit application may be submitted per student per school year.

When students are granted an interdistrict permit to exit PUSD, any existing offers within PUSD will be forfeited.

#### *Policy Reference Disclaimer:*

*These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

#### **State**

CA Constitution Article 1, Section 31

Ed. Code 200

Ed. Code 41020

Ed. Code 46600-46611

Ed. Code 48204

Ed. Code 48300-48317

Ed. Code 48900

Ed. Code 48915

Ed. Code 48915.1

Ed. Code 48918

Ed. Code 48980

Ed. Code 48985

Ed. Code 52317

Ed. Code 8151

#### **Management Resources**

Attorney General Opinion

Attorney General Opinion

Court Decision

#### **Description**

[Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin](#)

[Educational equity](#)

[Requirement for annual audit](#)

[Interdistrict attendance agreements](#)

[Residency requirements for school attendance](#)

[Student attendance alternatives; school district of choice program](#)

[Grounds for suspension or expulsion](#)

[Expulsion; particular circumstances](#)

[Expelled individuals; enrollment in another district](#)

[Rules governing expulsion procedures](#)

[Parent/Guardian notifications](#)

[Notices to parents/guardians in language other than English](#)

[Regional Occupational Center/Program; enrollment of students; interdistrict attendance](#)

[Apprentices; exemption from interdistrict attendance agreement](#)

#### **Description**

[84 Ops.Cal.Atty.Gen. 198 \(2001\)](#)

[87 Ops.Cal.Atty.Gen. 132 \(2004\)](#)

[Walnut Valley Unified School District v. the Superior Court of Los Angeles County \(2011\) 192 Cal.App.4th](#)

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Court Decision	<a href="#"><u>234</u></a> <a href="#"><u>Crawford v. Huntington Beach Union High School District (2002) 98 Cal.App.4th 1275</u></a>
Website	<a href="#"><u>CSBA District and County Office of Education Legal Services</u></a>
Website	<a href="#"><u>California Department of Education</u></a>
Website	<a href="#"><u>CSBA</u></a>

### Cross References

<b>Policy</b>	<b>Description</b>
1312.3	<a href="#"><u>Uniform Complaint Procedures</u></a>
1312.3	<a href="#"><u>Uniform Complaint Procedures</u></a>
1312.3-E(1)	<a href="#"><u>Uniform Complaint Procedures</u></a>
1312.3-E(2)	<a href="#"><u>Uniform Complaint Procedures</u></a>
3460	<a href="#"><u>Financial Reports And Accountability</u></a>
3460	<a href="#"><u>Financial Reports And Accountability</u></a>
3540	<a href="#"><u>Transportation</u></a>
3541	<a href="#"><u>Transportation Routes And Services</u></a>
3553	<a href="#"><u>Free And Reduced Price Meals</u></a>
3553	<a href="#"><u>Free And Reduced Price Meals</u></a>
5020	<a href="#"><u>Parent Rights And Responsibilities</u></a>
5020	<a href="#"><u>Parent Rights And Responsibilities</u></a>
5111	<a href="#"><u>Admission</u></a>
5111	<a href="#"><u>Admission</u></a>
5111.1	<a href="#"><u>District Residency</u></a>
5111.1	<a href="#"><u>District Residency</u></a>
5112.2	<a href="#"><u>Exclusions From Attendance</u></a>
5113.1	<a href="#"><u>Chronic Absence And Truancy</u></a>
5113.1	<a href="#"><u>Chronic Absence And Truancy</u></a>
5113.12	<a href="#"><u>District School Attendance Review Board</u></a>
5113.12	<a href="#"><u>District School Attendance Review Board</u></a>
5116	<a href="#"><u>School Attendance Boundaries</u></a>
5116.1	<a href="#"><u>Intradistrict Open Enrollment</u></a>
5116.1	<a href="#"><u>Intradistrict Open Enrollment</u></a>
5119	<a href="#"><u>Students Expelled From Other Districts</u></a>
5131.2	<a href="#"><u>Bullying</u></a>
5131.2	<a href="#"><u>Bullying</u></a>
5144.1	<a href="#"><u>Suspension And Expulsion/ Due Process</u></a>
5144.1	<a href="#"><u>Suspension And Expulsion/ Due Process</u></a>
5145.6	<a href="#"><u>Parent/ Guardian Notifications</u></a>
5145.6-E(1)	<a href="#"><u>Parent/ Guardian Notifications</u></a>
5148	<a href="#"><u>Child Care And Development</u></a>
5148	<a href="#"><u>Child Care And Development</u></a>
6146.3	<a href="#"><u>Reciprocity Of Academic Credit</u></a>
6146.3	<a href="#"><u>Reciprocity Of Academic Credit</u></a>

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6173.1	<a href="#"><u>Education For Foster Youth</u></a>
6173.1	<a href="#"><u>Education For Foster Youth</u></a>
6173.2	<a href="#"><u>Education Of Children Of Military Families</u></a>
6173.2	<a href="#"><u>Education Of Children Of Military Families</u></a>
7160	<a href="#"><u>Charter School Facilities</u></a>
7160	<a href="#"><u>Charter School Facilities</u></a>
9000	<a href="#"><u>Role Of The Board</u></a>
9321	<a href="#"><u>Closed Session</u></a>
9321-E(1)	<a href="#"><u>Closed Session</u></a>
9321-E(2)	<a href="#"><u>Closed Session</u></a>

### Regulation

### PASADENA UNIFIED SCHOOL DISTRICT

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Pasadena, California

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