

Mt. Diablo USD

Administrative Regulation

Interdistrict Attendance

AR 5117
Students

The following procedures shall be used in processing a request for an interdistrict transfer:

1. Parents/guardians desiring an interdistrict transfer for their child shall obtain an Interdistrict Transfer Request form from a school or the ~~Office of Student Services~~ Office.
2. The completed form is to be returned to the Student Services Office.
3. A Student Services Administrator shall render a decision, and notify the parents/guardians in writing of the approval or denial of the request.
4. Interdistrict transfers are between school districts and are not approved for a specific school. In August, all approved interdistrict transfer students are referred to schools with available space after local students and intradistrict transfer students have been placed. Interdistrict transfer students are not enrolled in impacted schools.
5. Students on interdistrict transfers are deemed to be residents of the school district for the period of the transfer agreement. Such students are not considered residents of the school in which they enroll. As such, these students may be displaced prior to September 15 of each school year by students who reside in the school's attendance area.

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a student's attendance outside his/her district of residence may be issued upon approval of both the district of residence and the district of proposed attendance.

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 the student has been determined by staff of either the district of residence or district of proposed attendance to be a victim of an act of bullying as defined in Education Code 48900(r). Such a student shall be given priority for interdistrict attendance under any existing interdistrict attendance agreement or, in the absence of an agreement, shall be given consideration for the creation of a new permit. (Education Code 46600)

(cf. 5131.2 - Bullying)

2. To attend a school in the district where his/her parent/guardian is employed (Allen Bill transfer).

(cf. 5111.12 – Residency Based on Parent/Guardian Employment).

3. To meet the child care needs of the student in TK – 8th grades only. Such a student may be allowed to continue to attend district schools only as long as he/she continues to use a child care provider within district boundaries.

4. 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)

5. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance.

6. To allow the student to complete a school year when his/her parents/guardians have moved out of the district during that year.

7. To allow the student to remain with a class graduating that year from an elementary, middle, or senior high school.

8. 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.

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)

Appeal

In cases where the request is denied pursuant to Education Code 46600, the parents/guardians may appeal the decision in writing to the Director, of Student Services. The Director ~~will~~ may confer with the parents/guardians in person before making a decision which shall be rendered in writing to the parent/guardian.

1. Transfers are reviewed annually. The transfer may be revoked if the student fails to demonstrate good attendance, satisfactory behavior and/or satisfactory academic progress.

2. If the Director upholds the denial, the parents/guardians shall be informed of their legal right to appeal this decision to the Superintendent ~~or designee~~.

3. 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)

4. Director, Student Services shall notify the student's district of residence of the district's decision.

5. In the event the Superintendent also denies a transfer request made pursuant to Education Code 46600, the parents/guardians shall be notified in writing of the reasons for the denial and informed of their legal right to appeal the decision to the County Board of Education, whose decision is final. This right of appeal to the County Board of Education does not exist for interdistrict transfer requests made pursuant to the Education Code 48204(f), parent employment provisions.

Regulation MT. DIABLO UNIFIED SCHOOL DISTRICT
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