

Biggs Unified School District

**Process for the
Application and Agreement for Attendance in Another District**

We have attached the following documents:

1. Application and Agreement for Attendance in Another District (REQUEST):
 - ✓ This form expires at the close of the school year of request.
 - ✓ Falsification of information on this form constitutes grounds for cancellation of this permit.
2. Biggs Unified School District Interdistrict Attendance Board Policy and Administrative Regulations 5117 for your information.
 - ✓ If the parent/guardian is employed in the district of request, verification is required before action by Biggs Unified School District.
 - A. The following original documents will be accepted as verification:
 - 1) W2 tax statement
 - 2) Check stub with employer address and employee's name
 - 3) If "1" and "2" above are not available, a letter from the employer may be accepted.

Information on the Process

Before we can take action on your outgoing interdistrict transfer request , our policy requires you meet with the principal. Please call the school to set up an appointment. Grades K-8 call 868-1281, ext. 221 or 223 and Biggs High call 868-1281, ext 271 or 270.

1. REQUESTS for the current school year: As soon as possible, the Superintendent will take action on your REQUEST according to Board Policy 5117 (in this packet). A list of REQUESTS, will be submitted to the Board of Trustees at the next regular meeting. Your REQUEST must be received one week before the Board meeting or it will be listed at the next regular meeting. The Board usually meets on the first Wednesday of each month.
2. As soon as possible, after Board action:
 - 1) Approved REQUESTS will be forwarded to the school of request.
 - 2) Denied REQUESTS will be mailed to you with a copy of your right to appeal with the Butte County Office of Education.

Can you start in the other district now?

Education Code states: "For a period not to exceed two school months, the governing board of a school district may provisionally admit to the schools of the district a pupil who resides in another district, pending a decision of the two boards, or by the county board of education upon appeal, regarding the interdistrict attendance."

INTERDISTRICT ATTENDANCE

The Board of Trustees recognizes that parents/guardians of students who reside in one district may, for a variety of reasons, choose to enroll their child in a school in another district.

(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

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

A child of an active military duty parent/guardian shall not be prohibited from transferring out of the district to a school district of choice, if the other school district approves the application for transfer. (Education Code 48301)

(cf. 6173.2 - Education of Children of Military Families)

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

48900 Grounds for suspension or expulsion; definition of bullying

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

Legal Reference: Continued on next page

INTERDISTRICT ATTENDANCE (continued)

Legal Reference: Continued

ATTORNEY GENERAL OPINIONS

87 Ops. Cal. Atty. Gen. 132 (2004)

84 Ops. Cal. Atty. Gen. 198 (2001)

COURT DECISIONS

Walnut Valley Unified School District v. the Superior Court of Los Angeles County, (2011) 192 Cal.App.4th 234

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

Management Resources:

CSBA PUBLICATIONS

Transfer Law Comparison, Fact Sheet, March 2011

WEB SITES

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

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

(11/10 7/12) 12/15

Policy
adopted: April 1, 2009
reviewed: January 4, 2012
revised: March 2, 2016

BIGGS UNIFIED SCHOOL DISTRICT
Biggs, California

INTERDISTRICT ATTENDANCE

The parent/guardian shall visit the campus and meet the administration prior to action on an outgoing interdistrict transfer request. New outgoing interdistrict requests shall be denied unless any of the following seven exceptions apply.

The Board of Trustees may approve interdistrict attendance request for 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. To allow the student to complete a school year when his/her parents/guardians have moved out of the district during that year
3. At least one parent/guardian is physically employed within the geographic boundaries of the receiving district, as verified by the Superintendent or designee. (Employment is defined as where the actual physical place of business is located). This provision does not authorize a net transfer of students out of a school district, calculated as the difference between the number of students exiting the district and the number of students entering the district, in a fiscal year in excess of 3% of the average daily attendance of the district or 25 students, whichever amount is greater
4. 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
5. 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
6. To allow the student that had approval the previous year for outgoing interdistrict agreements to remain with the receiving district.
7. When the Superintendent or designee determines that the request is one of extreme hardship.

Every interdistrict attendance permit shall stipulate the terms and conditions under which the permit may be revoked. (Education Code 46600)

The Board may deny initial request 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.

INTERDISTRICT ATTENDANCE (continued)

The Board 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.

(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. 5113.1 - Truancy)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Transportation

The district shall not provide transportation outside the school's attendance area.

APPLICATION AND AGREEMENT FOR ATTENDANCE IN ANOTHER DISTRICT

Name of Student(s) _____ Date of Birth _____ Grade _____
 _____ Date of Birth _____ Grade _____
 _____ Date of Birth _____ Grade _____
 _____ Date of Birth _____ Grade _____
 Name of Parent _____ Home Phone _____ Bus. Ph. _____
 Residence Address _____ Cell Ph. _____

 Mailing Address _____

Is the student currently expelled, on a suspended expulsion or discipline contract? Yes No If Yes, explain on separate sheet.
 School Now Attending _____
 Programs in which student participates: GATE Band Title I Special Education Athletics Other

APPLICATION

I request that my child, named above, be permitted to attend _____ School in the _____
 School District during the _____ School Year. Briefly state the reason for the request: _____

AGREEMENT

Met with principal _____ Date _____

In the event this application is approved, I agree and understand that:

1. The above-named student will be transferred back to his/her district of residence if facilities or program become unavailable in the school the student is assigned to attend.
2. If the student demonstrates unsatisfactory attendance, scholarship, or citizenship, approval may be cancelled.
3. Falsification or misrepresentation of information on this form constitutes grounds for refusal or cancellation of this permit.
4. The parent will assume responsibility for all transportation for the above-named student to and from school.
5. This agreement expires at the close of the current school year.

 (Signature of Parent/Guardian) (Printed Name of Parent/Guardian) Date

RELEASE/DENIAL OF RELEASE BY DISTRICT OF RESIDENCE

The above-name student is released/denied release by the Biggs Unified School District for attendance in the _____ School District.

Signed _____ Title Superintendent Date _____

ACCEPTANCE/DENIAL BY REQUESTED DISTRICT OF ATTENDANCE

The above-name student is accepted for/denied attendance in the _____ School District.
 He/She will be assigned to the _____ School.

Signed _____ Title _____ Date _____

In addition to the conditions stated herein, this attendance agreement is subject to all the terms and conditions of the Interdistrict Attendance Agreement currently in effect between the above District of Residence and the District of Attendance. The District of Attendance is to receive the state apportionment for the Average Daily Attendance accrued in the same manner as if the student were a resident of the District of Attendance. No tuition shall be charged.