

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.

Upon request by students' parents/guardians, the Superintendent or Designee may approve interdistrict attendance permits with other districts on a case-by-case basis to meet individual student needs. The Board of the reciprocal districts agree that when interdistrict transfer requests are approved, the reapplication and revocation of such permits shall be subject to each district's own interdistrict transfer provisions as set forth in its board policy and regulations.

The interdistrict attendance agreement shall be considered annually for renewal and shall stipulate the terms and conditions under which interdistrict attendance shall be permitted or denied. (Education Code 46600)

The Superintendent or Designee may deny applications for interdistrict transfers for one or more of the following reasons:

1. Approval would cause enrollment in the grade level or program to exceed board-adopted capacity for both general education and special education. Enrollment capacity shall be reviewed and established annually by the Board.
2. The transfer would require that the district establish a new program or provide a new service not currently provided to meet educational needs of district students. Approval would have an adverse financial impact on the district, requiring the hiring of additional certificated or classified staff, and/or expenses incurred by the district would not be covered by the appointment of funds received by the state.
3. The Superintendent or designee determines, based upon the student's disciplinary record, that it would be in the best interest of the district to deny the transfer. Any record of suspensions or expulsion during the year immediately preceding the student transfer request shall be sufficient basis for denial.
4. Material information on the application or supporting documentation has been falsified or omitted by the student's parents/guardians.
5. The student has failed to maintain satisfactory attendance and/or grades at the school the student is transferring from.

Approval under this section may be revoked by the district at any time upon one or more of the grounds listed above or for good cause as determined by the district.

INTERDISTRICT ATTENDANCE (continued)

(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)

School District of Choice Program

The Board has designated the district as a "school district of choice" and shall accept students who reside in other California districts who wish to attend a district school. Each year, the Superintendent or designee shall recommend to the Board the number of transfer students that the district will be able to accept and shall identify the schools, grade levels, and programs that will be able to accept these students.

Upon receiving the Superintendent's recommendation, the Board shall determine the number of students that will be accepted into the district through this program. This number shall be reflected in the minutes of the Board's meeting.

(cf. 9324 - Minutes and Recordings)

The Superintendent or designee shall establish a selection process which ensures that students are admitted to district schools through a random, unbiased process that prohibits evaluation of whether a student should be enrolled based upon his/her academic or athletic performance. If the number of student applications exceeds the number of transfers the Board has designated for acceptance under the program, the Superintendent or designee shall conduct a random drawing in public at a regularly scheduled Board meeting. (Education Code 48301)

Because the district admits students in accordance with the school district of choice program, the Superintendent or designee shall not admit students based on individual interdistrict attendance permits pursuant to Education Code 46600-46611 except under extraordinary circumstances.

The Superintendent or designee shall maintain a record of requests for admittance that contains all of the following: (Education Code 48313)

1. The number of requests granted, denied, or withdrawn and, for denied requests, the reason for the denial
2. The number of students transferred out of and transferred into the district pursuant to this program

INTERDISTRICT ATTENDANCE (continued)

3. The race, ethnicity, gender, self-reported socio-economic status, and the district of residence for each student in item #2 above
4. The number of students in item #2 above who are classified as English learners or students with disabilities

The Superintendent or designee shall report to the Board, at a regularly scheduled meeting, the information specified in items #1-4 above. By May 15 of each year, the Superintendent or designee shall provide the same information, as well as information regarding the district's status as a school district of choice in the upcoming school year, to each geographically adjacent school district, the county office of education, the California Department of Education, and the Department of Finance. (Education Code 48313)

The report to the Board and other agencies shall also include a summary of audit exceptions, if any, resulting from the compliance review of components of the district of choice program conducted as part of the annual district audit. (Education Code 48301, 48313)

Transportation

The district shall not provide transportation beyond any school attendance area. Upon request, the Superintendent or designee may authorize transportation for interdistrict transfer students to and from designated bus stops within the attendance area if space is available.

Limits on Student Transfers Out of the District to a School District of Choice

The Superintendent or designee may limit the number of student transfers out of the district to a school district of choice based on the percentages of average daily attendance specified in Education Code 48307.

In addition, transfers out of the district may be limited during a fiscal year when the County Superintendent of Schools has given the district a negative budget certification or when the

County Superintendent 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. (Education Code 48307)

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

INTERDISTRICT ATTENDANCE (continued)

The district may deny a transfer of a student out of the district to a school district of choice if the Board determines that the transfer would negatively impact a court-ordered or voluntary desegregation plan of the district. (Education Code 48301)

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

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>

Policy
adopted: June 13, 2018
BP 5117

GEYSERVILLE UNIFIED SCHOOL DISTRICT
Geyserville, California

INTERDISTRICT ATTENDANCE

Children who reside outside the Geyserville Unified School District will be allowed to attend Geyserville Schools with an approved interdistrict attendance permit if there is space available in the grade level and program(s), as applicable.

The Superintendent or Designee may approve an interdistrict attendance permit for the following reasons:

1. When a student has a sibling(s) attending school in the receiving district, to avoid splitting the family's attendance;
2. When the student is a child or grandchild of a person employed by the district;
3. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel;

(CF. 6149 – Individualized Education Program)

4. To allow the student to complete a school year when his/her parents/guardians have moved out of the district during that year;
5. To allow the student to remain with their graduating class;
6. 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;
7. When the student will be living out of the district for one year or less;
8. 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 – Truancy)

9. When there is valid interest in a particular educational program not offered in the district of residence;
10. To provide a change in school environment for reasons of personal and social adjustment;

INTERDISTRICT ATTENDANCE (continued)

11. To meet childcare needs of a student; and
12. When a parent/guardian is employed within the district boundaries.
13. When a student has been a victim of bullying.

Processing an Interdistrict Attendance Request

Interdistrict transfers are initiated by the parent/guardian in the district of residence. Geyserville Unified School District residents requesting transfer to another district may obtain the interdistrict attendance permit form from the district office. Parents/guardians may also obtain a copy of the district's Board policy and regulations regarding interdistrict attendance from the district administrative assistant. The Superintendent or designee shall approve interdistrict attendance permits on an annual basis subject to space and service availability and subject to the interdistrict attendance agreement conditions described in this regulation. Approval of an interdistrict attendance permit in a previous school year does not guarantee the approval of a permit in a subsequent year.

1. Interdistrict attendance agreements shall be first initiated by the parent/guardian with the district of residence. The Superintendent or designee, may request background information from the district/school of residence and may interview the parent/guardian and student to determine whether the school program has the capacity to address the student's needs.
2. The parent/guardian shall receive a notice of parent rights related to interdistrict attendance agreement requests. It is the responsibility of both the district of residence and the district of desired attendance to provide a written copy of local school board policy and regulations related to interdistrict attendance agreement requests.
3. The school district of residence shall forward an approved request to the school district of desired attendance.
4. Not later than 30 days after receipt by the district of an application for an interdistrict attendance agreement permit, the Superintendent or designee shall approve or deny the application and, within said time period, if the Superintendent or designee acted to deny the permit, the district shall notify the parents/guardians of the reason(s) for the denial. If the Superintendent or designee denied the permit, parents/guardians may appeal the denial within 5 calendar days to the Board and the Board shall timely uphold the Superintendent's or designee's denial or shall grant the request for the permit. The request for appeal must be in writing and directed to the Board, but delivered to the Superintendent or designee

INTERDISTRICT ATTENDANCE (continued)

within 5 calendar days otherwise the Superintendent's or designee's decision will be final. The district shall notify the parents/guardians in a timely manner following a Board meeting to hear an appeal regarding the Board's action.

5. The school district of desired attendance will communicate the disposition of the interdistrict attendance request to the district of residence and parent/guardian.
6. An approved interdistrict attendance permit must be in effect between the school district of residence and the school district of desired attendance before a student can enroll in the requested school.

Interdistrict Attendance Agreements – Conditions

1. A student, parent/guardian found to have falsified information that was used as a basis for enrollment in any school in the district shall have the attendance agreement revoked. The revocation shall be immediate and notice promptly given to the student and parent/guardian.
2. Applicants must provide corroborating documentation when requested. This may include academic transcripts, attendance records, employment details, verification of residence and other information to support the application. The district reserves the right to contact the parent/guardian's employer to verify employment.
3. Attendance agreements are valid only for the balance of the school year remaining after the date the agreement is approved. Furthermore, the agreement is valid only while the conditions stated in the request are maintained and only as long as the student's behavior, attendance, citizenship, and scholarship are satisfactory.
4. Attendance agreements must be renewed each year after their initial approval.
5. Transportation, if needed, shall be the sole responsibility of the parent/guardian.
6. Childcare, if needed, shall be the sole responsibility of the parent/guardian.
7. The Board reserves the right to revoke any attendance agreement upon the student demonstrating unsatisfactory citizenship or behavior (suspensions during the school year), inadequate academic progress, or poor attendance.
8. If a student's residence changes, then the parent/guardian shall immediately notify the school of the change in residence and provide the school with the student's new residence information.

INTERDISTRICT ATTENDANCE (continued)

9. If the number of interdistrict attendance agreement requests received by the district exceeds the capacity of the district, then the district will conduct a lottery whereby students will be rank ordered for admittance to the class.

Denials

The Superintendent or designee may deny requests for interdistrict attendance agreements if the school's facilities are overcrowded at the relevant grade level and based on other considerations that are not arbitrary.

The Superintendent or designee 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 – Parent 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. 5119 – Students Expelled from Other Districts)
(cf. 5144.1 – Suspension and Expulsion/Due Process)

every interdistrict attendance permit shall stipulate the 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 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 for the remainder of the current school year because of overcrowded facilities at the relevant grade level. Interdistrict attendance permits must be renewed on an annual basis and a request for an attendance permit for a subsequent school year may be denied because of overcrowded facilities at the relevant grade level even if a student had been granted a permit for a prior school year.

Within 30 days of a request for an interdistrict permit, the Superintendent or designee 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.

INTERDISTRICT ATTENDANCE (continued)

Students who are under consideration for expulsion or 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)

School District of Choice Program

Applications for interdistrict attendance shall be submitted to the district office by January 1 of the school year preceding the school year for which the student may be transferred. The application deadline may be waived upon agreement between the district and the student's district of residence. (Education Code 48308)

The application deadline shall not apply to an application requesting a transfer if the parent/guardian with whom the student resides is enlisted in the military and was relocated by the military within 90 days prior to submitting the application. (Education Code 48308)

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

The Superintendent or designee shall ensure that any communication sent to parents/guardians is factually accurate and does not target particular neighborhoods or individual parents/guardians on the basis of a child's actual or perceived academic or athletic performance or any other personal characteristic. (Education Code 48301)

The district shall give priority for attendance to siblings of students already in attendance in the district. (Education Code 48306)

The district also may give priority for attendance to children of military personnel. (Education Code 48306)

Any existing entrance criteria for specialized schools or programs shall be uniformly applied to all applicants. (Education Code 48305)

Not later than 90 days after the district receives an application for transfer, the Superintendent or designee shall notify the parent/guardian in writing whether the application has been provisionally accepted or rejected and of the student's position on any waiting list.

Whenever the number of applicants exceeds the number of interdistrict transfers that may be accepted as determined by the Board of Trustees, students accepted for transfer shall be selected by a random drawing of the provisionally accepted applications.

Final acceptance or rejection of applications shall be made by May 15 preceding the school year for which the student may be transferred. (Education Code 48308)

INTERDISTRICT ATTENDANCE (continued)

However, if an application is submitted for a student who is residing with a parent/guardian enlisted in the military and that parent/guardian was relocated by the military 90 days prior to the submission of the application, then the district shall make a final decision to accept or reject the application within 90 days of its receipt. If the student's application has been submitted less than 90 days prior to the beginning of the school year, then the district shall accept or deny the application before the school year begins. Upon his/her acceptance, the student may immediately enroll in a district school. (Education Code 48308)

The Superintendent or designee shall notify the student's district of residence of the district's decision.

Students admitted through the school district of choice program are deemed to have fulfilled district residency requirements pursuant to Education Code 48204. (Education Code 48301)

(cf. 5111.1 - District Residency)
(cf. 5116.1 - Intradistrict Open Enrollment)

Final acceptance of the transfer is applicable for one school year and shall be renewed automatically each year unless the Board, by adoption of a resolution, withdraws from participation in the program and no longer accepts transfer students from other districts. (Education Code 48308)

Even if the district withdraws from participation in the program, admitted high school students may continue attending school in the district until they graduate from high school. (Education Code 48308)

The district may accept any completed coursework, attendance, and other academic progress credited to an accepted student by any district(s) he/she has previously attended and may grant academic standing to the student based upon the district's evaluation of the student's academic progress. (Education Code 48309)

(cf. 6146.3 - Reciprocity of Academic Credit)

The district may revoke a student's enrollment if he/she is recommended for expulsion pursuant to Education Code 48918. (Education Code 48309)

The district may deny a transfer into the district under the district of choice program if:

1. The Board determines that the transfer into or out of the district would negatively impact a court-ordered or voluntary desegregation plan of the district. (Education Code 48301)

INTERDISTRICT ATTENDANCE (continued)

2. The transfer into the district would require the district to create a new program to serve that student, except that the district shall not reject the transfer of a student with disabilities or an English learner. (Education Code 48303)

(cf. 5119 – Students Expelled from Other Districts)

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



Board of Trustees
Sara Lopez – Board President
Laura Equitz – Board Secretary
Anna Felciano – Member
Mike Kalbfleisch – Member
Kim Peterson – Member
Deborah Bertolucci – District Superintendent

Resolution No. 233

Adopted: June 13, 2018

**GEYSERVILLE UNIFIED SCHOOL DISTRICT
Alternative Inter-district Attendance Program**

WHEREAS: The Governing Board of the Geyserville Unified School District recognizes that students who reside in other school districts may wish to attend school in this district;

AND WHEREAS: California Education Code 48300 – 48308 establishes an alternative inter-district attendance program (*School District of Choice, Open Enrollment*) under which the Board may accept such students through a random, unbiased process;

AND WHEREAS: The Board has determined that the district has space for additional students provided that revenues *are* available under California Education *Codes 42238, 47613, 48209.11*;

AND WHEREAS: The number of such accepted students shall not result in an over-enrollment of kindergarten through third grade classes under the requirements of the State Class Size Reduction program;

AND WHEREAS: The number of accepted students for the 2018-2019 school year is up to 120;

THEREFORE BE IT RESOLVED: That the Board hereby has determined, functionally and effectively for the 2018-2019 school year and subsequent years, to accept students from other districts in accordance with the alternative inter-district attendance program. The number of students to be accepted shall be identified by resolution each year.

PASSED AND ADOPTED this thirteenth day of June 2018, at a meeting, by the following vote:

Ayes: _____

Noes: _____

Absent: _____

Vote Roll Call: ___ Lopez
 ___ Equitz
 ___ Felciano
 ___ Kalbfleisch
 ___ Petersen

Resolution declared passed and adopted this thirteenth day of June 2018 by:

Sara Lopez, Board President

Attested: Laura Equitz, Board Clerk



Board of Trustees
Sara Lopez – Board President
Laura Equitz – Board Secretary
Anna Felciano – Member
Mike Kalbfleisch – Member
Kim Peterson – Member
Deborah Bertolucci – District Superintendent

Resolution No. 234

Adopted: June 13, 2018

**GEYSERVILLE UNIFIED SCHOOL DISTRICT
School and Classroom Capacity Limits for Purposes of Granting or Denying
Inter District or District of Choice Transfer Requests**

WHEREAS the Board hereby finds that it is in the best interest of Geyserville Unified School District that the District meet its obligation to serve residents before using its resources to serve new students who transfer into the District through an Inter District Attendance Permit and/or a School District of Choice Transfer;

WHEREAS the Governing Board of this District supports providing out-of-District students with an in-District placement where possible pursuant to an Inter District Attendance Permit and/or a School District of Choice Transfer;

WHEREAS to accomplish these goals, it is necessary for the District to determine whether there is space for new students in all classroom settings, ranging from general education to special education;

WHEREAS, determination of limitations on capacity for purposes of inter-district transfers exist to allow for in-District residential growth after processing an Inter District Attendance Permit and/or a School District of Choice Transfer;

WHEREAS, lack-of-space is a recognized, legitimate basis for denying a new Inter District Attendance Permit and/or a School District of Choice Transfer request;

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Geyserville Unified School District that the District hereby sets forth criteria for denying an Inter District Attendance Permit and/or a School District of Choice Transfer request due to lack of space for the 2018-2019 school year:

* Classes at the relevant grade level may be deemed to be full for purposes of Inter District Attendance Permit and/or a School District of Choice Transfers when the classes reach capacity as defined below:

Class/Grade	Projected Enrollment	Capacity	75% Capacity
TK/K	6/18	24 (combined)	18
1st Grade	20	24	18
2 nd Grade	15	24	18
3 rd Grade	18	24	18
GRADE SPAN AVERAGE for TK-3 rd cannot exceed 24			
4 th Grade	19	26	19
5 th Grade	17	26	19
6 th Grade	19	28	21
7 th Grade	18	28	21
8 th Grade	24	28	21
9 th Grade	23	28	21
10 th Grade	22	28	21
11 th Grade	16	28	21
12 th Grade	15	28	21
Total District	250	344	257

- * When the total number of enrolled students in the District reaches 75% of total capacity, the District may be deemed full for purposes of Inter District Attendance Permit and/or a School District of Choice Transfers.
- * For designated special programs, if offered by the district, a class will be deemed full for purposes of Inter District Attendance Permit and/or a School District of Choice Transfers when the capacity for such a program reaches 25% of total capacity.
- * For resource specialist programs, in addition to considerations of grade level and district capacity, a resource specialist program may be deemed full when all 1.0 full time equivalent ("FTE") RSP case managers' caseloads are higher than 28, as required by CA Ed Code, or, where a RSP is not 1.0 FTE, a prorated ratio based upon the fraction of FTE the RSP is hired to teach;
- * This District does not currently offer services in the capacity of Special Day Classes (SDC).
- * For new programs or classes, the Superintendent or his/her designee may establish capacities for purposes of Inter District Attendance Permit and/or a School District of Choice Transfers.

Resolution No. 234

PASSED AND ADOPTED this thirteenth day of June 2018, at a meeting, by the following vote:

Ayes: _____

Noes: _____

Absent: _____

Vote Roll Call: ___ Lopez

___ Equitz

___ Felciano

___ Kalbfleisch

___ Petersen

Resolution declared passed and adopted this thirteenth day of June 2018 by:

Sara Lopez, Board President

Attested: Laura Equitz, Board Clerk

Resolution No. 234

**GEYSERVILLE UNIFIED SCHOOL DISTRICT
School and Classroom Capacity Limits for Purposes of Granting or Denying
Inter District or District of Choice Transfer Requests**

District Office
1300 Moody Lane, Geyserville, CA 95441 (707) 857-3592

~The Valley of Distinguished Schools~