**Students**

**Interdistrict Attendance Agreement**

The Superintendent or designee may approve interdistrict attendance agreements for the following reasons:

1.      To meet the child care needs of the student  (Education Code 46601.5)

        When any district middle, junior or high school's feeder elementary school has entered into an agreement with a third school district for the attendance of a student based on his/her child care needs, the student shall be allowed to attend district schools through the 12th grade as long as the student continues to use a child care provider within district boundaries.  (Education Code 46601.5)

2.      To meet a child's special mental or physical health needs, as certified by a physician, school psychologist or other appropriate school personnel

(cf. 6159 - Individualized Education Program)

3.      When the student has brother(s) or sister(s) attending school in a receiving district, to avoid splitting the family's attendance

4.      To complete a school year when parents/guardians have moved out of the district during that year

5.      To allow students to remain with a class graduating that year from an elementary, junior or senior high school

6.      To let seniors attend the same school they attended as juniors, even if their families moved out of the district during the junior year

7.      When the parent/guardian provides written evidence that the family will be moving to the receiving district in the immediate future and would like the student to start the year in that district

8.      When the student will be living out of the district only for one year or less

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 - Truancy)

10.     When there is valid interest in a particular educational program not offered in the district of residency

11.     To provide a change in school environment for reasons of personal and social adjustment

Interdistrict attendance agreements or applications shall not be required for students enrolling in a Regional Occupation Center or Program.  (Education Code 52317)

**INTERDISTRICT ATTENDANCE AGREEMENT** (continued)

A student's interdistrict agreement may be revoked because of excessive truancy or continual disruption of the educational program.

(cf. 5144 - Discipline)

**Transportation**

Transportation shall not be provided for students admitted pursuant to an interdistrict attendance agreement.  However, upon request, the Superintendent or designee, may authorize transportation if space is available for students living outside of district boundaries to and from a designated bus stop within district boundaries.

(cf. 3250 - Transportation Fees)

**Denial of Interdistrict Transfer Agreement**

The Superintendent or designee may deny initial requests for interdistrict attendance agreements if the school's facilities are overcrowded at the relevant grade level. However, once a student is admitted based on child care needs, his/her continued attendance may not be denied because of overcrowding.

The Superintendent or designee shall provide parents/guardians of a student who is denied interdistrict attendance notice regarding the process for appeal to the County Board of Education in accordance with law.  (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. 5119 - Students Expelled from Other Districts)

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

Legal Reference:
EDUCATION CODE
48204 Residency requirements for school attendance
46600-46611  Interdistrict attendance agreements
ATTORNEY GENERAL OPINIONS
84 Ops.Cal.Atty.Gen. 198 (2001)

**CALAVERAS UNIFIED SCHOOL DISTRICT**
April 8, 2003                                                    San Andreas, California