

# Los Olivos SD

## Administrative Regulation

### Interdistrict Attendance

AR 5117  
**Students**

#### Application for Interdistrict Transfer

If you have reasonable cause and are interested in having your children transferred from one district to another, you must obtain an application for interdistrict transfer from the school office of the district of residence. An Interdistrict Attendance Agreement must be in place between the district of Residence and the Los Olivos School District before any application for an Interdistrict Transfer will be considered. An application must be submitted to, and approved by the district of residence before it can be considered by the receiving district (district of attendance). The district of attendance shall issue an individual permit verifying the district's approval, if it approves the application.

Applications for continuing/new interdistrict transfers should be made the preceding year from April 1 to June 1, although there is no guarantee the request will be granted. The Superintendent/Principal or designee shall consider interdistrict transfer requests on a case-by-case basis; however, the Superintendent/Principal or designee may approve interdistrict attendance agreements in order of priority for the following reasons:

1. If the student's parent/guardian is employed (part-time, full-time and contracted teachers) by the district.
2. If the student is one for whom interdistrict attendance has been approved in prior years.
3. 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. (See Administration Regulation 5111.1 for list of approved "written evidence".)
4. When the student has brother(s) or sister(s) attending school in a receiving district, to avoid splitting the family's attendance.
5. To allow the student to remain with a class graduating that year from the school.
6. To meet the childcare needs of the student.
7. When there is valid interest in a particular educational program not offered in the district of residency.
8. When the parent/guardian of the child is employed full-time during school hours at an

established place of business located within district boundaries.

9. When the parent/guardian of the child is a Los Olivos School Foundation Board member or Director.

Granted request shall be for the year of application only and must be renewed annually.

If a student seeking an interdistrict transfer is expelled from another district for an act described in Education Code 48915 subdivision (b) or (e), the Superintendent/Principal or designee shall hold a hearing to determine whether that student poses a continuing danger. The hearing and notice shall be conducted in accordance with expulsion procedures described in Education Code 48918.

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

#### Denial of Interdistrict Transfer Application

When an interdistrict attendance request is denied by the Superintendent/Principal or designee, the decision maker shall provide the parents/guardians with written notice within three working days of the decision to deny the request, and of the process for appealing the decision to the Board of Trustees. Any appeal will be presented to the Board at the regularly scheduled meeting in the month immediately following the denial. The regularly scheduled meetings fall on the second Monday of each month. Thus, the deadline to file a written request for an appeal is the Wednesday preceding the date of the Board meeting. This deadline cannot be extended so that the appeal is received in time for inclusion in the Board Agenda.

If, after an appeal to the Board, the transfer application is still denied, the Superintendent/Principal or designee shall provide the parents/guardians with timely notice regarding the process for appeal to the County Board of Education in accordance with law. (Education Code 46601) Parents/Guardians may petition the County Board of Education in writing for an additional appeal hearing within 30 calendar days of the notice of denial following the appeal hearing by the Board.

(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)

#### Revocation of Interdistrict Transfer Agreements

Once a child is accepted on an interdistrict transfer, a reasonable effort will be made to allow the

child to complete that school year. However, it is important to note that transfers can be revoked at any time during the school year. Reasons for revocation may include, but are not limited to:

1. An increase in class size or need for space in school programs.
2. Change in student program needs in which the cost of educating the student exceeds the amount of funding received from the state for that purpose.
3. Lack of parent/school cooperation and/or compliance with the school policies/rules/district guidelines.
4. Irregular student attendance or excessive truancy.
5. A student's continued disruption of the educational program and/or continued violation of the school policies/rules/district guidelines.
6. False information used as a basis for securing a transfer shall immediately invalidate any approved transfer.

It shall be the responsibility of the Superintendent/Principal or designee of the school of attendance to inform the parent/guardian in writing of the revocation, through certified mail with return receipt requested. The notification shall include the last day of attendance and the reason for revocation. The Superintendent/Principal or designee will advise the district of residence of revocation.

(cf. 5113.3 - Truancy)

Transportation shall not be provided for students admitted pursuant to an interdistrict attendance agreement.

(cf. 3250 - Transportation Fees)

#### Students with Disabilities

The district shall evaluate the application for an interdistrict transfer of students with disabilities using the same criteria as are used to evaluate applications for non-disabled students. No disabled student who meets the interdistrict transfer criteria applicable to non-disabled students shall be denied an interdistrict transfer, unless the district determines that it cannot implement the disabled student's individual educational program or 504 plan because it has determined that an appropriate education placement is not available in the district or has reached its maximum enrollment capacity.

The inter-district transfer of a student with a disability may not be denied or revoked in a manner that discriminates against the student solely on the basis of disability in violation of Section 504. The district shall not approve any transfers that require it to create a new program or hire new personnel to serve the student.

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