

**INTERDISTRICT ATTENDANCE**

The Governing Board 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.

1. An interdistrict attendance permit, once approved, shall allow the student to attend the school in which he/she is enrolled. Interdistrict transfers may be revoked at any time if the student fails to maintain satisfactory attendance, punctuality, citizenship, and academic achievement.
2. Students moving from one school level to another (elementary, middle, high school) will need to reapply for an interdistrict transfer to continue at the next level. A student must be in attendance in the Poway Unified School District for a minimum of one year before being considered as a Continuing Student for the purpose of applying for an interdistrict transfer.
3. Attendance at an elementary school does not guarantee automatic acceptance at the middle school in the feeder track. Likewise, attendance at middle school does not automatically guarantee attendance at high school in the feeder track. School size will be considered when making this decision, along with other district needs.

**INTERDISTRICT ATTENDANCE** (continued)

**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)*

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: (see next page)*

**INTERDISTRICT ATTENDANCE** (continued)

*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>