

NICASIO SCHOOL DISTRICT

Administrative Regulations

Series 5000: Students

AR 5117

INTERDISTRICT ATTENDANCE

Application Form

Any parent/guardian desiring an interdistrict transfer ("IDT") to or from Nicasio School District must complete a "Request for Interdistrict Transfer: Marin County, California" ("IDT Request"), which may be obtained from the student's district of residence (if within Marin County) or the Nicasio School office.

Application Procedures and Timelines

New Requests to Transfer into Nicasio School

1. Nicasio School District will consider IDT Requests into Nicasio School only if the student's district of residence (a) is a signatory to "Agreement of the Participating School Districts in Marin County Regarding Interdistrict Attendance Agreements" or (b) specifically agrees that any interdistrict transfer shall be limited to a maximum period of one school year and subject to revocation or non-renewal in accordance with Board Policy and Administrative Regulation 5117.
2. Except as specifically provided by law, all IDT Requests must be submitted first to the student's district of residence for approval. (E.C. § 46600(d))
3. If the student's district of residence approves the IDT Request, parent/guardian is responsible for ensuring that the notice of approval is submitted to the Nicasio School District office for the Superintendent's or designee's review and decision.
4. All IDT Requests must be accompanied by the student's academic, attendance, and discipline records for the two most recent years and records documenting student's current enrollment in special programs (resource specialist, speech and language, counseling, and occupational therapy).
5. The Superintendent or designee will approve or deny the IDT Request and send a written Notice of Approval or Notice of Denial to the parent/guardian within thirty (30) calendar days of receipt of a current year IDT Request and as soon as possible, but no later than 14 calendar days after the commencement of instruction for future year IDT Requests. (E.C. § 46600.1(c) and (e))

Renewal Requests to Transfer into Nicasio School District

1. Parents/guardians wishing to renew a student's Interdistrict Attendance Contract must follow the same procedures and timelines outlined above for new requests.
2. Approval of a previous IDT Request does not guarantee approval of any subsequent request.

Requests to Transfer Out of Nicasio School District

1. The Superintendent or designee will consider all outgoing IDT Requests and send a written Notice of Approval or Notice of Denial to the parent/guardian within thirty (30) calendar days of receipt of a current year request and as soon as possible, but no later than 14 calendar days after receipt of a future year request. (E.C. § 46600.2(a)(5)(A) and (B))
2. Except as specifically provided by law, a parent/guardian seeking an out-of-district transfer must request authorization from Nicasio School District to attend school in another district before seeking authorization from the district of proposed attendance. (E.C. § 46600(d))
3. An IDT Request may be authorized for a maximum of one school year.

Enrollment Target and Capacity

General Education Program

Currently Nicasio School operates three multi-grade classrooms with the following grade level configurations, which are subject to change, as described below:

Classroom A	Grades TK – 2 nd
Classroom B	Grades 3 rd – 5 th
Classroom C	Grades 6 th – 8 th

The District recognizes the need to maintain small class sizes with a teacher-to-student ratio that supports multi-grade instruction. To ensure that sufficient space is available within each classroom for new District residents, for IDT Request purposes the District has established a targeted enrollment in each grade level and a capacity limit in each classroom, which is subject to change, as described below.

Student Enrollment

		<u>Grade Level Target</u>	<u>Classroom Capacity</u>
Classroom A	Grades TK – 2 nd	5	16
Classroom B	Grades 3 rd – 5 th	5	18
Classroom C	Grades 6 th – 8 th	6	20

To promote overall balance within each classroom the District will consider the grade level target first. The District will consider IDT requests for individual grade levels up to their target when possible before filling the classroom up to capacity. A lottery will be held when IDT requests for a specific grade level exceed the target number. After each grade level has reached its target, or when there are insufficient IDT requests to meet a grade level target, the District will consider any additional IDT requests for those grade levels, by lottery, up to the classroom capacity.

In the event that currently enrolled students' IDT renewal requests exceed the classroom capacity, a lottery will be held. However, in such cases, the District may approve renewal requests that exceed the classroom capacity provided that the decision would not adversely impact the learning environment and would be in the best interest of students, Nicasio School and the District as determined by the Superintendent or designee based on any lawful, non-arbitrary considerations.

For IDT purposes, classroom configurations, grade level target, classroom capacity, and special education program capacity will be reviewed periodically, and any changes shall be determined by the Governing Board no later than April 30th and have a prospective implementation date of July 1 of the next school year.

Priority/Requests in Excess of Capacity

To the extent permitted by law IDT Requests that meet Renewal or Siblings criteria (see Bases for Approval, paragraphs 1-2, below) will be considered first. If the number of IDT requests exceeds capacity, the Superintendent or designee will place the students' names on a waiting list, unless the parent/guardian otherwise requests, in an order determined by lottery.

Bases for Approval of IDT Request

Subject to applicable law, District policies and regulations, and the Governing Board's determination of classroom configurations, grade level target, and classroom capacity for the requested transfer year, the Superintendent or designee may approve an IDT Request, for a maximum period of one school year, on any of the following bases.

1. Renewal

Student is currently attending Nicasio School under an IDT Attendance Contract and desires to continue attendance in Nicasio School the following school year.

2. Siblings

Student is a sibling of a student who is currently attending Nicasio School under an IDT Attendance Contract and who will continue to be in attendance during the requested transfer year.

3. Personal Adjustment

An administrator of another school district requests an IDT for the well-being of a child.

As certified by a physician, school psychologist or other appropriate school personnel, student has special mental or physical health needs that cannot be met in the district of residence and can be met in the district of proposed attendance.

A recommendation by the School Attendance Review Board or by a county child welfare, probation or social service agency in documented cases of serious home or community problems makes it inadvisable for the pupil to attend the school of residence.

4. Transitional

To allow the student to complete the current school year at Nicasio School when the parent/guardian has moved out or will move out of the District during the school year.

The student completed 7th grade at Nicasio School and would like to continue through 8th grade at Nicasio School to graduate with his/her classmates.

5. Statutory

The student has been determined by staff of the district of residence or by the Superintendent or designee on behalf of the District to be a victim of bullying as defined by Education Code section 48900(r). In accordance with applicable law, such students will be given priority for

interdistrict attendance under an existing interdistrict attendance agreement with the district of residence, or in the absence of such an agreement, shall be given consideration for the creation of an interdistrict attendance agreement.

6. Other Lawful Considerations.

The transfer would be in the best interests of the student, Nicasio School and the District as determined by the Superintendent or designee based on any lawful, non-arbitrary considerations.

If an IDT Request is approved, the Superintendent or designee shall issue an Interdistrict Attendance Contract setting forth the terms and conditions of the student's enrollment in the District, including bases for revocation of the Contract. The parent/guardian and student shall sign and return the Contract to the Nicasio School District Office prior to the first day of attendance.

Bases for Denial of IDT Request

In accordance with applicable law the Superintendent or designee may deny an IDT Request on any of the following bases:

1. For incoming IDT Requests, lack of capacity (in the relevant classroom or grade) in the requested transfer year based on the actual enrollment figures of current residents or the anticipated enrollment figures.
2. The District does not have an appropriate educational program at Nicasio School to meet the student's needs.
3. The student's school records for the preceding year reflect unsatisfactory attendance, which may include, but is not limited to, three (3) or more unexcused absences or unexcused tardy arrivals.
4. The student's school records for the preceding year reflect unsatisfactory academic performance, which may include, but is not limited to, grades that do not meet standards in the majority of student's subject areas/courses of study; unexcused, inconsistent homework completion; or regularly coming to class unprepared without an excusable reason.
5. The student's school records reflect unsatisfactory behavior, which may include, but is not limited to, a history of disciplinary referral(s), detention(s), suspension(s), recommendation(s) for expulsion, or expulsion(s).
6. The IDT Request is incomplete or contains information that is false or misleading.
7. Except as limited by applicable law, the student's district of residence (a) is not a current signatory to "Agreement of the Participating School Districts in Marin County Regarding Interdistrict Attendance Agreements" or (b) declines to agree that any interdistrict transfer shall be limited to a maximum period of one school year and subject to revocation or non-renewal in accordance with Board Policy and Administrative Regulation 5117.

8. The denial would be in the best interests of the student, Nicasio School or the District as determined by the Superintendent or designee based on any lawful, non-arbitrary considerations.
9. Failure of the parent/guardian to meet timelines shall be deemed an abandonment of IDT Request. (E.C. §46600.2(a)(4))
10. Except as specifically provided by law, the student's district of residence did not approve the student's IDT Request.

Appeals

If an IDT Request is denied by the Superintendent or designee, the parent/guardian of the student may appeal to the Nicasio School District Governing Board for further consideration. An appeal must be submitted in writing, addressed to the Governing Board, and received in the Nicasio School District office on or before the fifth (5th) calendar day following the date of the Notice of Denial. If the Governing Board denies the appeal, the parent/guardian may appeal within 30 calendar days to the Marin County Board of Education, except when the student is currently expelled from another school district or while expulsion proceedings are pending against the student.

Bases for Revocation of IDT Attendance Contract

An IDT Attendance Contract may be revoked by the Superintendent or designee for any of the following reasons:

1. Unsatisfactory academic performance (as defined above under Bases for Denial) at Nicasio School,
2. Unsatisfactory attendance (as defined above under Bases for Denial) at Nicasio School,
3. Providing incomplete, false or misleading information on the IDT Request,
4. Repeated disruptive or otherwise unsatisfactory behavior in violation of Education Code sections 48900 et seq.,
5. Suspension from Nicasio School as authorized by Education Code sections 48900 et seq.,
6. Recommendation for expulsion or expulsion from Nicasio School District as authorized by Education Code sections 48900 et seq.,
7. Failure to sign and return IDT Contract by the first day of instruction or within 14 days after the date of the Notice of Approval, whichever is later.
8. Any other lawful, non-arbitrary basis for the District to conclude it would be in the best interest of the student, Nicasio School or the District for the IDT to be revoked.

If an IDT Request is revoked by the Superintendent or designee, the parent/guardian of the student may appeal to the Nicasio School District Governing Board for further consideration. An appeal must be submitted in writing to the Governing Board and received in the District office on or before the fifth (5th) calendar day following the notice of revocation. The Governing Board's decision is final.

Failure to Obtain Advance Authorization from District of Residence

When it becomes known to the Superintendent or designee that a non-resident student has enrolled in Nicasio School District without the advance authorization of the district of residence or approval of Nicasio School District, whether or not the failure to obtain advance authorization was intentional, the Superintendent or designee shall notify the parent/guardian promptly that the student will no longer be permitted to attend Nicasio School.

In such cases, the Superintendent or designee's determination is final. There is no right to appeal to the Governing Board or to the Marin County Board of Education.

Transportation

Transportation will not be provided by Nicasio School or the District for outgoing or incoming interdistrict transfer students. The parent or legal guardian of any student whose IDT Request is approved shall be responsible for the student's transportation to and from school.

(5/21/2008, 5/13/2010, 3/7/2013, 6/4/2015, 3/31/2016, 3/30/2017, 12/6/2018, 3/7/2019) 12/5/19