

# NICASIO SCHOOL DISTRICT

## Board Policy

Series 5000: Students

BP 5117

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### INTERDISTRICT ATTENDANCE

#### Overview

The Governing Board is committed to maintaining a quality neighborhood school, serving families and providing continuity of education for children. The Governing Board believes that children generally should attend elementary schools in the communities where they live and supports the concept of neighborhood schools but will consider interdistrict transfer requests ("IDT Request") with the intent of serving the best interests of the student and the Nicasio School District community.

After enrollment of current residents for the requested transfer year and determination of grade-level configurations, an interdistrict transfer request may be approved or denied by the District on the bases specified in Administrative Regulation 5117.

IDT Requests may be approved for a maximum period of one school year.

Parents/guardians of students residing in Nicasio School District who would like their children to attend school in another district and parents/guardians of students residing in other districts who would like their children to attend school in Nicasio School District must submit a complete IDT Request each year.

#### Definitions and Timelines

A **"current year request"** means a request for IDT Request received 15 or fewer calendar days before the commencement of instruction in the school year for which interdistrict transfer is sought. (E.C. §46600.1 (c))

A **"future year request"** means an IDT Request received 16 or more calendar days before the commencement of instruction in the school year for which interdistrict transfer is sought. (E.C. §46600.1 (e))

At the regular meeting held in December, the Governing Board will determine anticipated capacity limits for classroom configurations for the following school year.

Notice of the Governing Board's final decision on current year requests will be given within 30 calendar days from the date the request was received. (E.C. §46600.2(a)(5)(A))

Future year requests may be submitted on or after first Monday in February. Requests received on or before the first Friday in May will be considered at the Regular Meeting of the Board of Trustees in June. Future year requests received after the first Friday in May will be considered at a subsequent meeting.

Notice of the Governing Board's final decision on future year requests will be given as soon as possible, but no later than 14 calendar days after the commencement of instruction in the school year for which

interdistrict transfer is sought. (E.C. §46600.2(a)(5)(B))

An interdistrict transfer request, if approved, shall be limited to a maximum period of one school year and shall be subject to revocation or non-renewal for reasons specified in Administrative Regulation 5117.

See Administrative Regulation 5117 for Bases for Approval and Denial of IDT Requests and for Bases for Revocation of IDT Attendance Contracts.

### **Right to Appeal Denial of IDT Request**

A parent/guardian may appeal the Superintendent's, or designee's, denial of an IDT Request to the Governing Board by submitting a written appeal to the Nicasio School District Governing Board on or before fifth (5<sup>th</sup>) calendar day following the date of the Notice of Denial. If the Governing Board upholds the denial, a parent/guardian may appeal to the Marin County Board of Education within 30 calendar days from the date of the Governing Board's decision.

#### Legal Reference:

##### EDUCATION CODE

46600-46611 Interdistrict attendance agreements  
48204 Residency requirements for school attendance  
48300-48315 Student attendance alternatives  
48915 Expulsion; particular circumstances  
48915.1 Expelled individuals: enrollment in another district  
48918 Rules governing expulsion procedures  
48980 Notice at beginning of term  
52317 ROP, enrollment of students, interdistrict attendance

##### GOVERNMENT CODE

6250-6270 Public Records Act

##### ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 198 (2001)  
87 Ops.Cal.Atty.Gen. 132 (2004)

##### COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

#### Management Resources:

##### WEB SITES

CSBA: <http://www.csba.org>  
California Department of Education: <http://www.cde.ca.gov>

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