

Students

INTERDISTRICT ATTENDANCE

BP 5117

Students attend school in the district where their parents or legal guardians reside. The Pasadena Unified School District is committed to providing an academically rigorous program in an environment that engages and empowers students to become lifelong learners. The district's ethnically diverse population provides students with academic role models, quality programs tailored to students' needs and a broad range of cultural, recreational and vocational activities that enhance students' intellectual, physical and emotional development.

The Governing Board recognizes the need for, and provides for, interdistrict transfers in special circumstances. The criteria for executing an interdistrict permit will be the same for students entering or leaving the Pasadena Unified School District. No permit will be issued to enter or leave the district without first having been cleared through the Office of Permits & Records.

(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.

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Acceptance of Interdistrict Transfer Students into the District

A student who is not a resident within the Pasadena Unified School District attendance area shall not be afforded the opportunity to participate in the district's Open Enrollment Program

Transportation of Interdistrict Transfer Students

The district shall have no obligation to provide transportation to and from school for any student attending school within the district pursuant to an interdistrict permit.

Transfers Out of the District

There are four options the Board acknowledges when allowing a student to be released to another district. They include an Interdistrict Attendance Agreement with another district, Open Enrollment Act, Allen Bill or School of Choice transfers.

The Interdistrict Attendance Agreement option requires that the parent/guardian submit an Interdistrict Permit Application. The Board requires an Interdistrict Permit Application for Allen Bill transfers. Allen Bill transfers (Ed Code 48203) are allowed if the receiving district has a policy of granting residency to families with guardians employed in the receiving district's boundaries.

The Board shall annually review the staff report of interdistrict permit transfers to enter and exit the district. The Superintendent or designee may limit the number of Allen Bill transfers out of the district (Ed Code 48204), and transfers to a school district of choice (Ed Code 48307), based on the percentages of average daily attendance.

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)

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(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 or an Allen Bill district if the Board determines that the transfer would negatively impact a court-ordered or voluntary desegregation plan of the district. (Education Code 48301)

Appeal of Interdistrict Transfer Denials

Parents/guardians of students whose interdistrict permit request has been denied and who wish to appeal the denial must file an appeal to the Superintendent or designee after denial of the request as set forth in AR 5117.

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)

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

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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>

Policy

Adopted: March 13, 2001

Revised: 03/23/10; 01/15/13; 6/30/16

PASADENA UNIFIED SCHOOL DISTRICT

Pasadena, California