

## Interdistrict Attendance

1 The Governing Board recognizes that parents/guardians of students who reside in one  
2 school district may, for a variety of reasons, choose to enroll their child in a school in  
3 another school district.

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5 Parents/guardians of students requesting an interdistrict permit shall obtain a release  
6 from their school district of residency before consideration and/or permission to attend a  
7 San Marino Unified School District school. The San Marino Unified School District  
8 accepts interdistrict applications beginning May 1st for the following school year until  
9 class space is no longer available. No student's application for an interdistrict transfer  
10 will be denied for reasons related to race, ethnicity, gender, religion, or parental income.

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12 Upon receiving a permit for transfer into the San Marino Unified School District that has  
13 been approved by the student's school district of residence or by the Los Angeles  
14 County Office of Education appeal process, the Superintendent or designee shall review  
15 the request and may approve or deny the permit subject to the terms and conditions set  
16 by the Governing Board. If the permit request is denied, the Superintendent or designee  
17 shall notify the parent/guardian in writing the reasons for the denial and their right to  
18 appeal to the County Board of Education. (Education Code 46601)

### 19 20 Conditions for Interdistrict Transfer Approval

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22 A student residing out of the District may only be admitted to a school in the San Marino  
23 Unified School District if the student has met all of the following conditions:

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25 1. There is adequate space in the classes that meet the student's educational  
26 needs and class sizes are not unreasonably affected by the enrollment. An  
27 interdistrict transfer permit may be denied when the student's enrollment creates  
28 a situation where class sizes or service caseloads exceed the standards set by  
29 the Governing Board; and  
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31 2. Admission would not result in the creation of a program at additional cost to the  
32 District; and  
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34 3. The student's academic achievement, citizenship, and behavior are maintained  
35 by a grade of "C" or better for each grading period, or by satisfactory or higher  
36 marks for each grade level standard.

### 37 38 Interdistrict Priority Categories

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40 There are two types of interdistrict transfer permits: Parent Employment-Related  
41 Transfer (PERT) permits and Interdistrict Transfer permits. The Superintendent or  
42 designee may approve an interdistrict attendance permit based on the following priority

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of acceptance established by the Governing Board. These priorities are ranked as follows:

I. Parent Employment-Related Permits

Attendance may be granted to a student (TK-12) not residing in the District if the student's parent/guardian works within the District boundaries. Proof of parent/ guardian "physical" employment shall be required prior to enrollment and shall be verified each year by the Superintendent or designee. Parents/guardians who meet one of the criteria below are eligible to apply for a Parent Employment-Related Transfer (PERT) permit (#1-#4 designates priority of acceptance):

1. The parent/guardian is employed by the San Marino Unified School District,
2. The parent/guardian is employed by the City of San Marino,
3. The parent/guardian is a registered business owner with a physical business located in the District and has a valid business license issued by the City of San Marino and is "physically" employed a minimum of 10 hours per week at that business/workplace location which he or she regularly occupies (Education Code 48204),
4. The parent/guardian is "physically" employed a minimum of 10 hours per week in a commercial space which he or she regularly occupies within the boundaries of the San Marino Unified School District (Education Code 48204).

II. Interdistrict Transfer Permits

If a student has met all of the conditions for interdistrict transfer approval, the Superintendent or designee may approve an interdistrict transfer permit for any of the following reasons (non-prioritized):

1. To allow resident students who move out of the District to complete 11th and 12th grades, provided that they obtain a permit release from their district of residency.
2. To allow students on PERT whose parent's employment changes from the District to another district during the school year to maintain continuous enrollment, provided that San Marino Unified School District has a master interdistrict attendance agreement with the student's district of residency specifying the terms and conditions under which interdistrict attendance shall be permitted or denied.

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3. To meet the child care needs of a student in grades TK-5 who receives child care five days a week within the boundaries of the school district.
4. When there is valid interest in a particular educational program not offered in the district of residence.
5. When the student has been determined by staff of either the district of residence or district of proposed attendance to be a victim of an act of bullying as defined in Education Code 48900(r). Such a student shall be given priority for interdistrict attendance under any existing interdistrict attendance agreement or, in the absence of an agreement, shall be given consideration for the creation of a new permit. (Education Code 46600)
6. When the student has a sibling attending school in the District, to avoid splitting the family's attendance.

Other reasons stated on an interdistrict transfer request will be considered on a case-by-case basis in collaboration with the school district of residence.

Guidelines and procedures governing interdistrict transfer students will be outlined in Administrative Regulations (AR 5117).

Revocation of Interdistrict Permit

Interdistrict transfer permits (PERT or Interdistrict Transfer) may be revoked immediately in cases when:

1. The student fails to comply with attendance, academic achievement, or behavior agreements; or
2. The student submits an application or registration materials that contain false information; or
3. When the student's enrollment creates a situation where reasonable class sizes or service caseloads exceed the standards set by the Governing Board.

In keeping with the provisions of Education Code 52317, district residency is not required for enrollment in ROC CTE or ROP classes (Education Code 52317).

A school district of residency or school district of enrollment shall not rescind existing transfer permits for pupils entering grade 11 or 12 in the subsequent school year. (Ed. Code 46600)

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127 Legal Reference:  
128 EDUCATION CODE  
129 41020 Annual District audits  
130 46600-46611 Interdistrict attendance agreements  
131 48204 Residency requirements for school attendance  
132 48300-48316 Student attendance alternatives, school district of choice program  
133 48350-48361 Open Enrollment Act  
134 48900 Grounds for suspension or expulsion; definition of bullying  
135 48915 Expulsion; particular circumstances  
136 48915.1 Expelled individuals: enrollment in another district  
137 48918 Rules governing expulsion procedures  
138 48980 Notice at beginning of term  
139 52317 Regional occupational center/program, enrollment of students, interdistrict attendance  
140  
141 ATTORNEY GENERAL OPINIONS  
142 87 Ops.Cal.Atty.Gen. 132 (2004)  
143 84 Ops.Cal.Atty.Gen. 198 (2001)  
144 COURT DECISIONS  
145 Walnut Valley Unified School District v. the Superior Court of Los Angeles County, (2011) 192  
146 Cal.App.4th 234  
147 Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275  
148  
149 Management Resources:  
150  
151 CSBA PUBLICATIONS  
152 Transfer Law Comparison, Fact Sheet, March 2011  
153  
154 WEB SITES  
155 CSBA: <http://www.csba.org>  
156 California Department of Education: <http://www.cde.ca.gov>  
157  
158 Adopted: 4/6/56  
159 Revised: 09/66, 12/27/83, 12/09/86, 9/13/88, 5/11/93, 2/27/95,  
160 11/26/01, 03/24/15, 07/14/15, 09/22/15