

## **Interdistrict And Employment Related Attendance Agreements**

The Superintendent or designee may approve interdistrict attendance agreements for the following reasons:

1. To allow children of individuals employed by South Pasadena Unified School District or by the South Pasadena Education Foundation to attend schools within the district
2. To meet the child care needs of the student (Education Code 46601.5)
3. To meet a child's special mental or physical health needs, as certified by a physician, school psychologist or other appropriate school personnel

(cf. 6159 - Individualized Education Program)

4. When the student has brother(s) or sister(s) attending school in a receiving district, to avoid splitting the family's attendance
5. To complete a school year when parents/guardians have moved out of the district during that year
6. To allow students to remain with a class graduating that year from an elementary, junior or senior high school
7. To allow seniors to attend the same school they attended as juniors, even if their families moved out of the district during the junior year
8. When recommended by the School Attendance Review Board or by county child welfare, probation or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence
9. To allow parents to enroll their children in South Pasadena schools according to the following priority list, with "1" being the top priority and "6" being lowest priority: 1) employment in SPUSD or by SPEF 2) full-time city employees and owners of businesses within the South Pasadena city limits, 3) owners of residential or commercial rental property within the city limits, 4) employees of the South Pasadena U.S. Post Office, 5) those employed at businesses within the city limits, and 6) others who wish their children to attend South Pasadena schools, but do not fall within the preceding five categories. Students may be placed on a waiting list depending on grade level and availability of classroom space upon first request of interdistrict permit.

Interdistrict attendance agreements or applications shall not be required for students enrolling in a Regional Occupation Center or Program. (Education Code 52317)

### **Transportation**

Transportation shall not be provided for students admitted pursuant to an interdistrict attendance agreement.

(cf. 3250 - Transportation Fees)

### **District Residency**

District residency status may be granted to a student if the student's parent/guardian is an employee of school district or SPEF. (Education Code 48204)

(cf. 5111.1 - District Residency)

(cf. 5117 - Interdistrict Attendance)

(cf. 5117.1 - Interdistrict Attendance Agreements)

When the Superintendent or designee is considering the admission of an interdistrict permit, priority shall be given to:

1. Continuing employment-related students (through SPUSD and SPEF) already enrolled. Priority will be based on the date of enrollment.
2. Continuing interdistrict permit students already enrolled. Priority will be based upon the date of enrollment and if the student criteria is met (see Student Criteria on pg. 3).
3. Siblings of continuing employment-related permit students already enrolled (through SPUSD and SPEF). Priority would be based on date of first child's enrollment in the district if the student criteria is met.
4. New employment-related permit students (through SPUSD and SPEF) in order of their date and time of application, and if the student criteria is met.
5. New interdistrict permit students who attended SPUSD in the prior year as residents and need to complete their final year of elementary, middle or high school, and if student criteria is met.
6. New interdistrict permit students who attended SPUSD in the prior year as residents. Priority will be based upon the date of enrollment and if the student criteria is met (see Student Criteria on pg. 3).
7. Siblings of continuing interdistrict permit students already enrolled. Priority will be based on date of the first child's enrollment in the district, and if the student criteria is met.
8. New interdistrict permit students whose parent is a full time employee of the City of South Pasadena or the legal owner of a South Pasadena business, in order of their date and time of application, and if the student criteria is met.
9. New interdistrict permit students whose parent is the owner of commercial or residential rental property in the 91030 zip code, in order of their date and time of application, and if the student criteria is met.
10. New interdistrict permit students whose parent is an employee of the South Pasadena U.S. Post Office, in order of their date and time of application, and if the student criteria is met.
11. New interdistrict permit students whose parent is an employee of a business in the 91030 zip code, in order of their date and time of application, and if the student criteria is met.
12. New interdistrict permit students who do not fall into any of the above categories listed in numbers 1-9, in order of their date and time of application, and if the student criteria is met.

#### Student Criteria for an Interdistrict Attendance Agreement

A student considered for admission to South Pasadena Unified School District on an Interdistrict Attendance Agreement, unless the student is an in-coming Kindergartener, must meet the following criteria:

1. The most recent report card for secondary students must show a 3.0 or above academic GPA, and no more than one Unsatisfactory citizenship mark. The most recent report card for elementary students must show above average grades and citizenship marks, as determined by the Assistant Superintendent of Instruction, or designee.
2. The high school transcript for secondary students must show at least a 3.0 cumulative academic GPA, and no more than three Unsatisfactory citizenship marks.
3. The student's most recent state assessment results or other standardized test scores must show meeting or exceeding grade level standards in English language arts and mathematics.

#### Application for Admission

The district may not deny an application based on parent/guardian full-time employment in the school district or other interdistrict permits, except as expressly provided for in law, because of a student's race, ethnicity, gender, parental income, or any other arbitrary consideration. (Education Code 48204)

The Governing Board may deny enrollment based on parent/guardian full-time employment in the school district or other interdistrict permit if any of the following considerations exist:

1. The additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer. (Education Code 48204)
2. The school facilities are overcrowded at the relevant grade level. Calculation of space availability for all interdistrict permits shall be based on school site capacities as well as specialized program capacities at the following limits:

#### Class Capacity Limits

Grades TK-3: 22 students

Grades 4-5: 24 students

Grades 6-12 for each core subject area: 24 students

#### Specialized Program Districtwide Limits

PK SDC: 6 students

K-5 RSP: 63 students

K-5 SDC: 12 students

6-12 RSP: 105 students

6-12 SDC: 36 students

3. If the student does not meet the criteria for academics, attendance, and citizenship.

4. If false, misleading or deliberate omission of information is used as a basis for securing or renewing a permit or residency. Failure to update promptly essential information such as parental employment or residence shall also be a basis for denying or canceling a permit.

Interdistrict and employment related permits to remain in attendance in the district may be granted under the following circumstances:

1. Student must obtain a release from school district of residence.
2. Student must meet the criteria for academics, attendance, and citizenship.
3. Student must comply with the district's performance contract.

If a parent/guardian whose child has been admitted based on 1) employment in SPUSD or by SPEF, 2) full-time employment by the City of South Pasadena or ownership of a business within the city limit, 3) ownership of residential or commercial rental property within the city limits, 4) employment by the South Pasadena U.S. Post Office, 5) employment at a South Pasadena business within the city limits, and subsequently ceases to be an employee in the school district, a full-time city employee, the owner of a business within the city limits, the owner of residential or commercial property within city limits, an employee of the South Pasadena U.S. Post Office, or an employee of a business within the city limits, the Superintendent of designee may then deny that student's enrollment. Special consideration will be given for a student to remain in the district who has been enrolled in the district for a minimum of five years, as a child of a district employee. That student's permit will cease to be employment related and then fall under the guidelines of an interdistrict permit.

The student's parent/guardian shall be notified in writing of the Board's decision to deny admission. The notice shall include specific reasons for denial. (Education Code 48204)

## Appeal for Denial

If the application for an Interdistrict Attendance Agreement is denied for reasons other than lack of space at the student's grade level, or that the student did not meet the criteria for academics, attendance, and citizenship, the parents/guardians of the student may submit a letter of appeal to the Assistant Superintendent of Instruction or designee within 10 calendar days, stating their reasons that the District should reconsider the application. If the appeal is denied the parents/guardians may enter the process of appeal through the County Board of Education.

The Superintendent or designee shall provide parents/guardians of a student who is denied interdistrict attendance notice regarding the process for appeal to the County Board of Education in accordance with law. (Education Code 46601)

Online, parents can access the Interdistrict Attendance Appeal Packet through LACOE (Los Angeles County Office of Education) Student Support Services, Child Welfare and Attendance at <http://www.lacoe.edu/orgs/157/index.cfm>.

(cf. 5145.6 - Parental Notifications)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or decisions while expulsion proceedings are pending, or during the term of the expulsion. (Education Code 46601)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5119 - Students Expelled from Other District)

### Revocation of an Interdistrict Attendance Agreement

If the Assistant Superintendent or designee revokes an interdistrict transfer because the student demonstrates poor attendance and/or tardiness, unacceptable behavior, unsatisfactory academic achievement, insufficient space available to accommodate the student's placement, an unwillingness on the part of the student or parents/guardians to cooperate with school officials, if the parent/guardian has provided false information, or any other reason exists as determined by Education Code or school district practices, the parent/guardian will be notified in writing, in the primary language of the parent/guardian, the reason for the permit revocation. This notice shall be sent by certified U.S. mail and state the parent/guardian's right to contact the Office of Instruction within 10 days to schedule an appeal meeting with the Assistant Superintendent for the parent/guardian to inspect supporting documents, rebut district evidence, question any district witnesses, and present oral and/or documentary evidence on the student's behalf. For good cause, the Assistant Superintendent or designee may extend the scheduling time frame for the meeting date.

If the parent/guardian fails to contact the Office of Instruction to schedule the above meeting, the student's enrollment shall be revoked 11 days after the postmarked day of the notice.

If the above meeting is held, the Superintendent or designee shall prepare a written decision describing his/her findings in the parent/guardian's primary language and sent by certified U.S. mail. If the attendance agreement is being revoked, the notification of revocation shall state it will be effective five school days from the postmarked date of the letter. The student remains enrolled during the appeal process.

### Legal Reference:

#### EDUCATION CODE

48204 Residency requirements for school attendance

46600-46611 Interdistrict attendance agreements

#### ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 198 (2001)

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