

# Santa Barbara Unified School District

## Board Policy

Students

BP 5117

### INTERDISTRICT ATTENDANCE

#### **Allowance of Interdistrict Transfers into Santa Barbara Unified School District**

The Santa Barbara Unified School District does not accept interdistrict transfer students, except in the following limited cases:

1. Students who are children of district employees. The rules for admission of these students are set forth in Administrative Regulation 5111.12.
2. The district will accept students on a space available basis. If more students wish to transfer than space allows, all of those who have completed the interdistrict transfer application will be placed based on the following priority, with a random unbiased lottery to be held if needed.
  - A. Sibling(s) of students currently enrolled in the district.
  - B. Students seeking enrollment at Open Alternative School.
  - C. Children of full-time Santa Barbara City College employees.
  - D. All other students.

Any student qualifying for an interdistrict transfer under any of the above exceptions may be denied a transfer request based on overcrowding, unsatisfactory performance or non-participation in the special academic or varsity athletic program that formed the basis for admission, or violation of the terms and conditions of an existing interdistrict transfer agreement. Interdistrict transfers are subject to revocation, upon 30 days written notice, for non-participation in the special academic or varsity athletic program that formed the basis for admission, or violation of the terms and conditions of an existing interdistrict transfer agreement. The Superintendent has the authority to extend the 30 day release time to the end of the school year in cases where, in the discretion of the Superintendent, circumstances warrant.

#### **Application Review and Process**

All applications for interdistrict transfer for the 2017-2018 school year must be received by the district in writing, using the approved form, starting December 1 through January 31 of each year. Commencing with the 2018-2019 school year and thereafter, the deadline to submit applications will coincide with the last day of the first semester of the Santa Barbara Unified School District's school calendar.

All grounds supporting the application must be set forth in a single application. Multiple or successive applications will not be considered by the district. Transfer applications for children of newly hired district employees will be accepted within thirty (30) days following the date of hire.

The board delegates to the Superintendent or designee the authority to grant or deny interdistrict transfer requests. No interdistrict transfer application shall be approved without the prior written approval by the district of residence.

#### **Agreements With Other Districts**

The Superintendent may enter into reciprocal or other agreements with other districts to allow for interdistrict transfers under reasonable conditions that will avoid negative financial impacts to the Santa

Barbara Unified School District. In such case, interdistrict transfers may be permitted in a manner that is fair and impartial, based upon procedures developed as a consequence of any such agreement.

### **Appeal**

All persons who are denied interdistrict transfer requests shall have a right of appeal to the Santa Barbara Unified School District Board of Education. All requests for appeal must be filed within fifteen (15) days of issuance of the written denial and must state in detail the grounds for appeal. No new information shall be considered by the board outside of that which was considered by the Superintendent or designee in denying the appeal. The board may act to grant or deny an appeal without hearing, and may take up any such appeals in closed session if necessary to protect pupil confidentiality, as long as to do so would not violate the Brown Act.

Following the final denial of an interdistrict transfer by the Santa Barbara Unified School District, an appeal may be submitted within thirty (30) days to the Santa Barbara County Board of Education. An appeal may be submitted to the Santa Barbara County Board of Education without appealing the denial to the Santa Barbara Unified School District Board of Education.

### **Term of Transfer**

Based on space availability, once a student is admitted to a school on the basis of an interdistrict attendance permit, he/she shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school in which he/she is enrolled so long as the student maintains good standing in relation to attendance and behavior. Students must reapply when transitioning from elementary to junior high school and/or from junior high to senior high school. The home district retains the right to revoke the interdistrict transfer at anytime. The grant of an interdistrict transfer request is not the grant of district residency status within the meaning of Education Code section 48204(b).

In no event shall an interdistrict transfer be approved, and any approval previously granted shall be immediately revoked, if false or materially misleading information has been provided to the district in the pupil's transfer or enrollment application.

If a student moves out of the district during the course of the school year, the parent or legal guardian shall notify the district of the change of residency and the student may apply for an interdistrict transfer agreement to allow the student to remain until the end of the current school year. In such case, the Superintendent or designee is authorized in their discretion to grant the interdistrict transfer.

The parent or legal guardian of any student enrolled under this policy shall immediately notify the district of any change in circumstances which would affect their eligibility for admittance under this policy. Failure to do so shall result in disenrollment and disqualification from future enrollment under this policy or the district's residence policy.

### **Conditions of Acceptance**

Every interdistrict attendance agreement shall stipulate the terms and conditions under which the agreement may be revoked. (Education Code 46600) Each student and parent or legal guardian must sign a positive behavior and attendance contract. If the contract requirements are not met, the interdistrict transfer may be revoked.

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)

Students who are granted interdistrict transfers shall not receive transportation services from the Santa Barbara Unified School District.

*(cf. 5119 – Students Expelled from Other Districts)*  
*(cf. 5144.1 – Suspension and Expulsion/Due Process)*

### **Transfers Out of the District**

Applications to transfer out of the district must be submitted to the Superintendent or designee. Per Education Code 46600, interdistrict transfer permits require the approval of both the district of residence and the receiving district. Transfer permits will be authorized for one year only. Denials of transfers out of the district may be appealed to the Santa Barbara County Office of Education.

*Legal Reference:*

EDUCATION CODE

46600-46611 *Interdistrict attendance agreements*

SANTA BARBARA UNIFIED SCHOOL DISTRICT

Santa Barbara, California

January 13, 2015; December 8, 2015; November 17, 2016