

**INTERDISTRICT ATTENDANCE**

In general, students must attend school in the district where their parents/guardians reside (their district of residence). The Board of Trustees, however, recognizes justifiable reasons for occasional interdistrict transfers.

The Superintendent or designee may approve interdistrict attendance agreements on a case-by-case basis which are in the best interests of the student and are consistent with district practice.

In the administration of attendance policies for the district, the Superintendent and the Board must deal with three circumstances:

- Resident students who wish to attend school in the district.
- Resident students who wish to attend school in another district.
- Nonresident students who wish to attend school in the district.

The following policies will be followed with respect to each of these circumstances. All policies shall be administered without consideration of the race, ethnicity, disability, gender, or family income of the student.

1. The following shall be considered “resident” students and shall be enrolled by the Superintendent without review by the Board:
  - a. A student living with parents/guardians who reside in the district.
  - b. A student on an affidavit of residence and responsibility.
  - c. A student in a licensed institution or foster home in the district.
  - d. A foreign student residing with a resident of the district under a bona fide Student Exchange Program and holding a valid visa authorizing school attendance.
  - e. A student assigned to the district through the Voluntary Transfer (Tinsley) Program.

The Superintendent will implement those procedures deemed necessary to verify compliance with the foregoing by any student applying for enrollment under this Section 1. Such verification may include a requirement for substantiation of the location of the student’s residence.

2. Employment within the district boundaries of a potential student’s parents/guardians shall not be considered residence for the purpose of accepting students for attendance.

**INTERDISTRICT ATTENDANCE** (continued)

3. Resident students wishing to attend school in another district shall request and complete an Interdistrict Transfer Attendance Application from the PVSD district office. The Superintendent shall approve such request, without review by the Board, provided that such approval would impose no hardship on the district. If the Superintendent disapproves a request on the grounds of hardship to the district, the student's parent or guardian may request a review and final decision by the Board.
4. A nonresident student wishing to attend school in the PVSD shall obtain an Interdistrict Transfer Application from his/her residence district office and submit it to the PVSD district office once completed and approved. Upon receipt, the following procedures shall apply:
  - a. The Superintendent may approve the applications in the following categories, without review by the Board:
    - (1) A child of a nonresident employee of the Portola Valley School District, whose normal employment is at least 20 hours per week.
    - (2) A student whose family moves out of the district after 90 days of enrollment during a school year, and who wishes to complete the year in the district.
  - b. All other applications from nonresident students for attendance in the district shall be reviewed by the Superintendent who shall make a recommendation to the Board. The Superintendent shall consider the following factors:
    - (1) When determining availability of space for incoming interdistrict transfer students, the Superintendent shall be guided by the class sizes targeted in the district goals and the state class-size reduction program, and will reserve adequate spaces for students who may move into the district by recommending denial of requests that would cause the average class size in any grade level to exceed 90 percent of the target average class size for that grade. The target average class for Kindergarten to 8th grade is 20. The target size for stand-alone TK is 12; the target size for combination TK/K classes is 20.
    - (2) Due consideration will be given to the following factors, but none shall necessarily be deemed to be dispositive:

Class size policy, budget impact, other educational factors, child care needs, the welfare of the children and families involved, residential address, and community ties.

**INTERDISTRICT ATTENDANCE** (continued)

5. In case of a denial of an interdistrict attendance request, the Superintendent will inform the family making the request of the procedures for appeal to the Board.
6. If the appeal is ultimately denied by the Board, the family can appeal within 30 calendar days of the date of the Portola Valley School District's Board decision to the San Mateo County Governing Board.
7. For each approved interdistrict request, the district shall enter into an agreement with the other involved school district as authorized by law (Education Code 46600(a)(2)) specifying that the interdistrict attendance agreement is valid for one school year only, and that the parent/guardian of the student must reapply each year for interdistrict attendance. Parents/guardians requesting interdistrict attendance for their students shall be informed of this requirement, and apprised of the fact that the request may not be renewed in future years.
8. Students granted an incoming interdistrict transfer will be expected to maintain satisfactory attendance, scholastic effort, and behavior. Failure to do so may cause the interdistrict transfer agreement to be revoked. The interdistrict attendance agreement shall include these grounds for revocation of the agreement.
9. Transportation shall not be provided for students attending on an interdistrict attendance agreement.

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)

*(cf. 6173.2 - Education of Children of Military Families)*

*Legal Reference: (see next page)*

**INTERDISTRICT ATTENDANCE** (continued)

*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 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: May 14, 1992  
revised: June 15, 2000  
revised: March 10, 2010  
revised: May 11, 2011  
revised: September 10, 2014  
revised: May 4, 2016  
revised: March 7, 2018

**PORTOLA VALLEY SCHOOL DISTRICT**  
Portola Valley, California