

# Santa Barbara Unified School District

## Board Policy

Students

BP 5117

### INTERDISTRICT ATTENDANCE

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

Because of negative fiscal impacts, no new interdistrict transfer students will be accepted as of October 10, 2017, except as noted in Board Policy 5111.1, for students who meet one or more of the following criteria:

1. Students who are children of district employees.
2. Students who are children of employees of Santa Barbara City College.
3. To allow the students to complete a school year when their family has moved out of the district during that school year.
4. When the parent/guardian provides written evidence that the family will be moving into the district within the first 30 days of the school year.
5. To allow the student to remain in the district until they have completed the final grade offered in their current grade span (i.e., TK-6, 7-8, or 9-12). (EC 46600(a)(4))
6. A student who will suffer or whose immediate family member(s) will suffer an extraordinary hardship due to a denial of their interdistrict transfer request may apply for an exemption. Extraordinary hardship is defined as a documented severe and exceptional financial, educational, safety, or health impact on the student or an immediate family member of the student. An exemption for extraordinary hardship will be granted only in very rare and unique situations where there is a profound negative impact upon a student or immediate family member that cannot be reasonably mitigated by other means. The Superintendent or designee may require evidence that he or she deems necessary to verify a claim of extraordinary hardship. Absent such dire circumstances, interdistrict transfers will not be granted (1) because of special characteristics of a particular school, (2) due to child care considerations, (3) because of employment within the district, (4) as a result of parental separation or divorce, or (5) on account of transportation issues. An extraordinary hardship exemption shall not be granted if permitting the attendance will adversely impact district class size or otherwise result in unacceptable cost to the district.

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 violation of the terms and conditions of an existing interdistrict transfer agreement. Interdistrict transfers are subject to revocation, upon 30 days written notice, for 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 must be received by the district in writing, using the approved form, starting December 1 through the last day of the first semester of the Santa Barbara Unified School District's school calendar. In response to the Novel Coronavirus Pandemic, the deadline for submitting applications for the 2021-2022 school year will be extended by two weeks to January 29, 2021. Late applications will be accepted, but they will not be reviewed prior to August 1.

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 and SBCC 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.

### **Term of Transfer**

The interdistrict attendance permit must be renewed annually, unless otherwise exempted by law, by applicants and shall stipulate the terms and conditions under which interdistrict attendance shall be permitted or denied. 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      October 10, 2017; January 15, 2019; November 10, 2020