

Students

Mendocino Unified School District

Interdistrict Attendance – District of Choice

The Governing Board recognizes that parents/guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

(cf. [5111.1](#) - District Residency)

(cf. [5116.1](#) - Intradistrict Open Enrollment)

OPTION 1: Interdistrict Attendance Agreements and Permits

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code [46600](#))

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed upon by both districts for reapplication and/or revocation of the student's permit. (Education Code [46600](#))

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

OPTION 2: School District of Choice Program

The Board has designated the district as a "school district of choice" and shall accept students who reside within other California school districts who wish to attend a district school.

The Board shall, by resolution, annually establish the number of students who will be accepted into the district through this program based on recommendations by the Superintendent or designee as to the number of transfer students the district will be able to accept and the schools, grades, and programs that will be able to accept the students. Once established, the district shall accept all students who apply to transfer into the district until the district is at maximum capacity, as required pursuant to Education Code [48301](#).

Students shall be admitted to district schools through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based upon the student's academic or athletic performance, physical condition, proficiency in English, any of the individual characteristics set forth in Education Code [200](#), or family income. (Education Code [48301](#))

If the number of transfer applications exceeds the number of transfers the Board has elected to accept, approval for transfer shall be determined by a random drawing held in public at a regularly scheduled Board meeting. (Education Code [48301](#))

Because the district admits students in accordance with the school district of choice program, the Superintendent or designee shall not admit students based on individual interdistrict attendance permits pursuant to Education Code [46600-46610](#) except under extraordinary circumstances.

The Superintendent or designee shall keep an accounting of all requests for admittance through the school district of choice program and a record of their disposition, including, but not limited to, all of the following: (Education Code [48313](#))

1. The number of requests granted, denied, or withdrawn and, for denied requests, the reason for the denial

2. The number of students transferred into and out of the district pursuant to this program
3. The race, ethnicity, gender, self-reported socioeconomic status, eligibility for free or reduced-price meals, and the district of residence for each student transferred into or out of the district pursuant to this program
4. The number of students transferred into or out of the district pursuant to this program who are classified as English learners or students with disabilities
5. As applicable, the number of students described in items #3 and 4 above who are provided transportation assistance to a district school or program, and the total number of students provided transportation assistance, pursuant to the school district of choice program

The Superintendent or designee shall report to the Board, at a regularly scheduled meeting, the information specified in items #1-5 above. No later than October 15 of each year, the Superintendent or designee shall provide the same information for the current school year, as well as information regarding the district's status as a school district of choice in the upcoming school year, to each geographically adjacent school district, the county office of education, and the Superintendent of Public Instruction. (Education Code [48313](#))

The district's compliance with specified program requirements shall be reviewed as part of the annual district audit conducted pursuant to Education Code [41020](#). (Education Code [48301](#))

(cf. [3460](#) - Financial Reports and Accountability)

Transportation

Upon parent/guardian request, the district shall provide transportation assistance to a student receiving an interdistrict transfer who is eligible for free and reduced-price meals and is the child of an active duty military parent/guardian or a victim of bullying, as defined in Education Code [46600](#). (Education Code [46600](#))

(cf. [3553](#) - Free and Reduced Price Meals)

In addition, upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for any interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.

Legal Reference:

EDUCATION CODE

[8151](#) Apprentices, exemption from interdistrict attendance agreement

[41020](#) Annual district audits

[46600-46610](#) Interdistrict attendance agreements

[48204](#) Residency requirements for school attendance

[48300-48317](#) Student attendance alternatives, school district of choice program

[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

[48985](#) Notices to parents in language other than English

[52317](#) Regional occupational center/program, enrollment of students, interdistrict attendance

CALIFORNIA CONSTITUTION

Article 1, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin

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

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 132 (2004)

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

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

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