

# PIEDMONT UNIFIED SCHOOL DISTRICT

## Board Policy

Students

BP 5117

### INTERDISTRICT ATTENDANCE

The schools of this District shall be operated for the benefit of children residing in the District with such exceptions as are permitted by law and this policy.

#### Interdistrict Transfer Agreement

The Board of Education 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)

The Board of Education may enter into interdistrict transfer agreements with other school Districts regarding the enrollment of nonresident students. The Superintendent reserves the right to revoke any interdistrict transfer agreement at any time, subject to the rules and standards that apply to pupils who reside in the school District of enrollment.

Students who have been expelled from other school Districts may not be admitted to the District on an interdistrict attendance agreement during the period of their expulsion. Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials while expulsion proceedings are pending, or during the term of the expulsion.

#### Transfer of Resident Students to Out of District

The Board may enter into interdistrict agreements for the transfer of resident students to other Districts when the student's needs cannot be met by the programs of the District.

Legal Reference:

EDUCATION CODE

46600-46611 interdistrict attendance agreements

48204 Residency requirements for school attendance

48209-48209.17 Student attendance alternatives

48915 Expulsion; particular circumstances

48915.1 Expelled individuals: enrollment in another District

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

52317 Enrollment of students, interdistrict attendance

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**PIEDMONT UNIFIED SCHOOL DISTRICT**

**Students**

**AR 5117**

**INTERDISTRICT ATTENDANCE**

**Categories of Eligible Nonresident Students Requests for Interdistrict Transfer Attendance into the District**

The Superintendent or designee of the District shall review all requests for interdistrict transfers. The Superintendent or his designee is authorized to grant or deny interdistrict transfer requests.

~~The following categories constitute the types of nonresident students eligible for interdistrict attendance. Nonresident attendance in the District is subject to those terms and conditions expressed in the Administrative Regulations which apply to this section.~~

**Limitations of interdistrict Transfers Requests for Interdistrict Transfers**

1. The parent/guardian must first obtain approval for the student's transfer from the student's current District of residence on the appropriate form.
2. ~~No student will be accepted for an interdistrict transfer where the cost of his/her education will exceed the amount of additional state funds received by the District as a result of the transfer.~~
3. ~~No student will be accepted for interdistrict transfer where he/she requires services which adversely impact District finances or programs.~~
4. No student shall be enrolled on an interdistrict transfer basis if that student's enrollment will cause any class to exceed class-size limits set by the District.
5. ~~The interdistrict transfer agreement of any student who violates the disciplinary provisions of Education Code section 48900 will be subject to revocation, pending the outcome of disciplinary proceedings.~~
6. No student shall be enrolled on an interdistrict transfer basis if the District has inadequate facilities to accommodate the student or if it would require the District to create a new program or provide a new service to serve the student. (Education Code 48209.3)
7. The Superintendent or designee may deny initial requests for interdistrict attendance permit due to limited District resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the District shall not deny continued attendance because of overcrowded facilities at the relevant grade level.

8. Transportation shall not be provided for students attending on an interdistrict attendance agreement at any time.
9. If the request for a transfer is approved for an elementary school-aged student, the District retains the right to determine the specific elementary school to which the student will be assigned. (See [BP 5116.1](#))
10. If the request for a transfer is denied, the parent/guardian will be notified in writing of the right to appeal to the Alameda County Board of Education within 30 days of the District's denial.
11. The Superintendent or designee may revoke any individual interdistrict attendance agreement at any time.

The Board requires that all requests for interdistrict transfers and the required supporting documentation be certified by the parent/guardian, childcare provider or caregiver under penalty of perjury. The Superintendent or designee is responsible for confirming the accuracy of information contained in such requests and documentation; investigating any suspicion that information has been falsified; reporting such violations to the appropriate law enforcement agencies; and reporting such activities to the Board.

### **Notification**

Notice of acceptance or denial of an application for interdistrict transfer will occur as follows (Education Code 46600.2):

- Current year request: within 30 days of the request being received
- Future year request: no later than 14 calendar days after instruction begins in the new school year

Current year = begins 15 calendar days before the first day of instruction

Future year = 16 or more days before the first day of instruction for the school year student is applying for

### **Grounds for Approval**

The Superintendent or designee may approve interdistrict transfer requests when capacity within the District exists. Students whose requests are denied solely because lack of capacity within the District will be placed on a waiting list, and their application will be considered if space becomes available.

Priority for interdistrict attendance shall be given to a student who has been determined by staff of either District of residence or District of proposed enrollment to be a victim of an act of

bullying, as defined in Education Code 48900(r), committed by a student of the District of residence. (Education Code 46600)

The Superintendent or designee may grant a transfer if, in the judgement of the Superintendent or designee, the parents/guardians provide evidence of extraordinary circumstances (such as a threat of physical harm to a student) warranting a transfer.

It is the responsibility of the parent/guardian to renew approved interdistrict transfer permits before the start of the school year of transition years 5th to 6th grade and 8th to 9th grade. Failure to do so will result in a hold of class registration.

The decision to admit out-of-District students is discretionary, when capacity exists; applications may be approved based on the following priorities:

**1<sup>st</sup> Priority: †.Parents Constructing or Remodeling a Home in Piedmont**

After design review process approval has been granted by the City of Piedmont City Council and written verification is provided by the City (property owner's responsibility to obtain this information and provide to District); and after the property owner has provided written documentation and verification from the City of Piedmont Building Department that construction (pouring of the foundation and/or erection of forms) is underway, the District may conditionally admit to attendance any nonresident/resident student whose parents have begun construction or extensive remodeling of a home in Piedmont into which they intend to move/move back into.

The following information is required by the District from the property owner:

- a. Copy of City of Piedmont building permit and contractor's statement of the anticipated completion date (property owner's responsibility to obtain this information and provide to District).
- b. Written confirmation from the City of Piedmont Building Department that construction (pouring of the foundation and/or erection of forms) is underway (property owner's responsibility to obtain this information and provide to District).

For extensive renovation projects on an existing home where it is impractical to reside in the home during construction, an inter District transfer permit will be granted for one school year (two consecutive semesters). This condition must be verified by the District's Residency Verification Officer in consultation with the City of Piedmont Building Department.

Upon written verification by the contractor that reasonable additional time is needed to complete the project, and upon confirmation from the City, an additional school year (two consecutive semesters following the first two semesters) may be granted, for a total period of not to exceed two school years (four consecutive semesters).

An interdistrict transfer permit must be submitted at initial enrollment and for transition years 5<sup>th</sup> to 6<sup>th</sup> grade and 8<sup>th</sup> to 9<sup>th</sup> grade. An interdistrict permit must be on file for the period of time that

a student is not residing in Piedmont, but for no longer than two school years (four consecutive semesters).

For the construction of a new home, an interdistrict transfer will be granted for no longer than a period of up to two school years (four consecutive semesters). Renovation of a home may not be granted for this amount of time. Additional proofs of construction progress from the City of Piedmont Building Department will be mandatory at the beginning and at the end of each semester. It will be the responsibility of the property owner to obtain this information from the City and provide to the school District.

An interdistrict transfer permit will not be approved for the period of time of the design planning phase for a renovation/remodel project or new home construction.

Proof of actual residency at the home being moved into/back into Piedmont will be required, including:

- copy of Final Inspection and Certificate of Occupancy from the City of Piedmont Building Department
- confirmation by the Residency Verification Officer
- proof of termination of service of PGE or EBMUD from the former temporary residence.

## **2. Parents Purchasing a Home in Piedmont**

~~The District may conditionally enroll a nonresident student whose parents have purchased a home in Piedmont into which they intend to move within thirty (30) days, with proper written documentation and verification from the title or escrow officer stating the name of the purchasers, address and parcel number of the property; that escrow has closed on the property; and that the parties are on title at the address.~~

~~Within thirty-five (35) days after move in, a certified copy of the filed deed must be provided to the District, along with three additional proofs of residency (see “Proofs of Residency” list) as follows:~~

### Proofs of Residency

- ~~• Current original Property Tax Bill from Alameda County Tax Collector’s Office~~
- ~~• State or Federal tax return, with current imprinted name and address, filed within the past 12 months business returns do not meet residency requirements) (figures can be blocked out)~~
- ~~• Current W-2 Form with current imprinted address (figures can be blocked out)~~
- ~~• Current Bank Statement with current imprinted name and address, showing activity within the last 30 days (figures can be blocked out)~~
- ~~• Original copy of entire PGE bill or EBMUD bill within last 30 days which shows “Service to” portion of bill and name and address (copy will be made and original returned), and proof of termination of service from former residence [proof of termination not needed for present property owners]~~

- ~~One current major credit card statement showing activity within the last thirty (30) days, with current imprinted name and address portion (figures can be blocked out)~~

~~The District reserves the right to request any additional proofs of residency as necessary.~~

### **2<sup>nd</sup> Priority-3. High School Juniors and Seniors Who Have Moved Out of the District<sup>1</sup>**

The District may allow high school juniors and seniors eligibility for interdistrict attendance, if they meet all of the following conditions:

- a. it has been confirmed that the student(s)/parent(s) were legally residing in Piedmont immediately previous to the request for “junior/senior privilege”
- b. the student moves away after completion of his/her sophomore year in high school and has satisfactorily completed at least 140 units in a Piedmont high school with a “C” average, and no unsatisfactory citizenship grades;
- c. the student will complete his/her senior course of study in one school year or less.

In all of the situations listed above, a student must have an interdistrict transfer permit on file.

No interdistrict transfer will be approved for a student requiring more than two school years to meet graduation requirements.

### **3<sup>rd</sup> Priority 4. Children of Piedmont Unified School District Employees**

The District may admit the children of District employees. To be eligible, certificated (K-12) teachers and classified employees must be employed at least 40% of full-time or a classroom aide for 10 hours a week. In order to balance class size and composition, the District has the discretion to assign students to the school site and classroom of its choice. As stated in District policy, admission will be contingent on space availability, and at the elementary level, the District has through the first two weeks of the beginning of the school year to move students.

~~Children of District employees enrolled as of the 2002-03 school year shall retain eligibility for subsequent school years if the parent's employment status is reduced below the minimum requirement due to lay-off or a voluntary reduction in time in lieu of layoff as a result of budget cuts.~~

~~For the 2009-10 school year, only, the District will allow District employees who were laid off and not reinstated in the 2009-10 school year and have students enrolled in the District for the 2009-10 school year, to retain eligibility for subsequent school years through the natural~~

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<sup>1</sup> interdistrict Education Code 46600 (a) (4) Notwithstanding paragraph (2), a school District of residence or school District of enrollment shall not rescind existing transfer permits for pupils entering grade 11 or 12 in the subsequent school year.

~~grade level break. For example, a kindergartener through fifth grader could continue through fifth grade; a sixth grader through eighth grader could continue through eighth grade; and a ninth grader through twelfth grader could continue through the twelfth grade in Piedmont schools.~~

An interdistrict transfer permit for the student must be submitted at initial enrollment and for transition years 5<sup>th</sup> to 6<sup>th</sup> grade and 8<sup>th</sup> to 9<sup>th</sup> grade.

When a District employee ceases employment with the District, he/she shall withdraw his/her child from the District no later than the end of the current semester or at the discretion of the Superintendent.

#### **4<sup>th</sup> Priority 5: Children of the City of Piedmont Government Employees**

The District may admit children of full-time City government employees. A City government employee is defined as an employee who is on a regularly scheduled City of Piedmont government employee payroll on which appropriate deductions occur. It does not include consultants for the City of Piedmont, nor persons who are employed within the City of Piedmont limits.

The District will hold open fourteen slots for the children of full-time City employees. These slots will be filled at the discretion of the City under the conditions specified in Board policy and in the Administrative Regulation.

Upon request, a City employee may be required to provide proof of employment.

When a City of Piedmont employee ceases employment with the City, he/she shall withdraw his/her child from the District no later than the end of the current semester or at the discretion of the Superintendent.

### **Regulations Governing the Interdistrict Attendance of Children of District and City Government Employees**

#### **Priority**

If space is not available to accommodate all interdistrict transfer requests related to employment, eligible employees will receive priority in the following order:

1. Piedmont Unified School District Employees
2. Full-time City of Piedmont government employees

If eligible applicants within a priority category exceed the number of openings, an administrative committee will review the requests based on a variety of criteria including but not limited to the following:



1. The length of time a student has been in Piedmont Unified School District;
2. The length of employment of the parents;
3. The full-time (City and District employees) or part-time status (District employees) of the parent;
4. Siblings enrolled in the District; and
5. The unique needs of the District or the City

These criteria are not listed in priority order.

**5<sup>th</sup> Priority 6: Children of the Piedmont Education Foundation (PEF) Director**

The District may admit children of the Executive Director for the Piedmont Education Foundation. The PEF Executive Director is defined as the managing director of PEF, responsible to the PEF Board, who is on a regularly scheduled PEF employee payroll in which appropriate deductions occur. It does not include consultants for PEF.

When the PEF Executive Director ceases employment with PEF, he/she shall withdraw his/her child from the District no later than the end of the current semester.

**6<sup>th</sup> Priority 7: Children Residing on Calvert Court**

Because ingress and egress to all properties on Calvert Court are through the City of Piedmont, some of which properties are located in Oakland, children residing on any of the Oakland parcels on Calvert Court may be admitted to Piedmont schools, with the required proofs of residency (see [AR 5111.1](#)), and the submittal of an interdistrict transfer permit before initial enrollment and for transition years 5<sup>th</sup> to 6<sup>th</sup> grade and 8<sup>th</sup> to 9<sup>th</sup> grade.

**~~Regulations Governing the interdistrict Attendance of Children of District and City Government Employees~~**

**~~Priority~~**

~~If space is not available to accommodate all interdistrict transfer requests related to employment, eligible employees will receive priority in the following order:~~

- ~~1. Piedmont Unified School District Employees~~
- ~~2. Full-time City of Piedmont government employees~~

~~If eligible applicants within a priority category exceed the number of openings, an administrative committee will review the requests based on a variety of criteria including but not limited to the following:~~

~~The length of time a student has been in Piedmont Unified School District;~~  
~~The length of employment of the parents;~~  
~~The full-time (City and District employees) or part-time status (District employees) of the parent;~~  
~~Siblings enrolled in the District; and~~  
~~The unique needs of the District or the City~~

~~These criteria are not listed in priority order.~~

### **7<sup>th</sup> Priority 8: Residences on Approved Piedmont Split Parcel Properties**

Children of homeowners whose property is a split parcel, meaning a residential property located within both the City of Piedmont and City of Oakland boundaries with any portion of the residence on the Piedmont parcel, may be eligible for admittance to Piedmont schools based on meeting **all** of the following conditions and regulations:

- a. The parcel in Piedmont must have its own separate Assessor's Parcel Number, as assigned by the Alameda County Assessor's Office;
- b. The amount to be assessed will be determined by the use code assigned by the Alameda County Assessor's Office and any disputes would be between the property owner and the Alameda County Assessor's Office. The District will abide by the decision of the Alameda County Assessor's Office.
- c. The property owner will be responsible for paying Piedmont Unified School District parcel taxes on its Piedmont parcel, in addition to all other applicable City of Oakland taxes
- ~~d. If the homeowner discontinues paying the school parcel taxes on the Piedmont parcel, children of the homeowner will no longer be eligible to attend Piedmont schools~~
- e. The property owner must be either the parents or court-appointed legal guardians of the children. The property owner must reside at that address, as well as the children, ~~and the property owner must be paying Piedmont Unified School District parcel taxes on the Piedmont parcel~~. In the event of joint custody, a student must reside on the split parcel at that address with the Piedmont parent at least 50% of each school week. The District has the legal right to verify residency by conducting home visits or through other information provided (including neighbors).
- f. If the split parcel homeowner moves from the property to a residence outside of Piedmont, students will no longer be eligible to attend Piedmont schools. This includes if a homeowner rents the split parcel property: children of the renters may attend Piedmont schools, but not the children of the homeowner.
- g. Proofs of residency must be provided (see "Proofs of Residency" list) with the interdistrict transfer permit. The District reserves the right to annually request proofs of residency ~~and Piedmont school parcel tax payments if any residency issues arise~~.
- h. An approved Interdistrict Transfer Permit from Oakland must be on file and re-submitted for transition years 5<sup>th</sup> to 6<sup>th</sup> grade and 8<sup>th</sup> to 9<sup>th</sup> grade.

- ~~i. Approval by the school District for student enrollment does not make the split parcel owner or student(s) with an Oakland address eligible for any City of Piedmont services, such as 911 emergency services, City of Piedmont Recreation Department residency discounts, etc.~~
- ~~j. If the assessment of Piedmont Unified School District taxes on the Piedmont portion of the split parcel is approved by the Alameda County Assessor's office but the Oakland Unified School District does not approve the interdistrict Transfer permit, the student(s) of the homeowner will not be eligible to attend Piedmont schools.~~

The Superintendent or designee will make the final determination as to eligibility, after research of a property and any needed consultations with legal counsel and/or the Alameda County Assessor's Office as may be necessary. A student will not be allowed to enroll in Piedmont schools until confirmation is received from the Alameda County Assessor's Office that the parcel is eligible for assessment of Piedmont Unified School District parcel taxes and an approved Interdistrict Transfer permit from Oakland Unified School District is received by Oakland Unified School District.

~~Children of Oakland property owners whose house is on the Oakland parcel, yet own an adjoining parcel in Piedmont are not eligible for admittance to Piedmont schools because they do not reside in Piedmont.~~

**8<sup>th</sup> Priority GrandParent – Grandchild of an Individual(s) who lives within the boundaries of PUSD**

The District may enroll the grandchildren of Piedmont residents with the required proofs of residency (see AR 5111.1) AND proof of identification, along with a certified copy of the parent's birth certificate and child's birth certificate to establish grandparent relationship. If the grandparent moves from the property to a residence outside of Piedmont, grandchildren attending Piedmont Unified School District will no longer be eligible to continue enrollment in the District.

**9<sup>th</sup> Priority Approved Split Parcels with Oakland Address and Adjoining Minor Piedmont Parcel**

Children of homeowners whose property is on an approved split parcel with and Oakland address and adjoining Piedmont parcel may be eligible for admittance to Piedmont schools based on meeting all of the following conditions and regulations:

- a. The property owner will be responsible for paying Piedmont Unified School District parcel taxes on its Piedmont parcel, in addition to all other applicable City of Oakland taxes.

- b. The property owner must either be the parents or court-appointed legal guardians of the child(ren). The property owner must reside at that address, as well as the children. In the event of joint custody, a student must reside on the split parcel at that address with the Piedmont parent at least 50% of each school week. The District has the legal right to verify residency by conducting home visits or through other information provided (including neighbors).
- c. If the split parcel homeowner moves from the property to a residence outside of Piedmont, students will no longer be eligible to attend Piedmont schools. This includes if a homeowner rents the split parcel property: children of the renters may attend Piedmont schools, but not the children of the homeowner.
- d. Proofs of residency must be provided (see “Proofs of Residency” list). The District reserves the right to annually request proofs of residency.
- e. An approved Interdistrict Transfer Permit from Oakland must be on file and re-submitted for transition years 5<sup>th</sup> to 6<sup>th</sup> grade and 8<sup>th</sup> to 9<sup>th</sup> grade.
- f. Approval by the school District for student enrollment does not make the split parcel owner or student(s) with an Oakland address eligible for any City of Piedmont services, such as 911 emergency services, City of Piedmont Recreation Department residency discounts, etc.
- g. If the Oakland Unified School District does not approve the Interdistrict Transfer permit, the student(s) of the homeowner will not be eligible to attend Piedmont schools.

The Superintendent or designee will make the final determination as to eligibility, after research of a property and any needed consultations with legal counsel and/or the Alameda County Assessor’s Office as may be necessary. A student will not be allowed to enroll in Piedmont schools until confirmation is received from the Alameda County Assessor’s Office that the parcel is eligible for assessment of Piedmont Unified School District parcel taxes and an approved Interdistrict Transfer permit from Oakland Unified School District is received.

### **10<sup>th</sup> Priority All Other Applicants**

The Superintendent or designee may approve interdistrict transfer requests when capacity within the District exists. Students whose requests are denied solely because lack of capacity within the District will be placed on a waiting list, and their application will be considered if space becomes available.

### **Limitations of interdistrict Transfers**

- 12. ~~No student will be accepted for interdistrict transfer where the cost of his/her education will exceed the amount of additional state funds received by the District as a result of the transfer.~~
- 13. ~~No student will be accepted for interdistrict transfer where he/she requires services which adversely impact District finances or programs.~~

14. ~~No student shall be enrolled on an interdistrict transfer basis if that student's enrollment will cause any class to exceed class-size limits set by the District.~~
15. ~~The interdistrict transfer agreement of any student who violates the disciplinary provisions of Education Code section 48900 will be subject to revocation, pending the outcome of disciplinary proceedings.~~
16. ~~No student shall be enrolled on an interdistrict transfer basis if the District has inadequate facilities to accommodate the student or if it would require the District to create a new program or provide a new service to serve the student. (Education Code 48209.3)~~
17. ~~Transportation shall not be provided for students attending on an interdistrict attendance agreement at any time.~~
18. ~~The Superintendent or designee may revoke any individual interdistrict attendance agreement at any time.~~

### **Nonresident Admission to Millennium High School**

The Superintendent will review all interdistrict transfer applications for admission to Millennium High School.

### **Grounds for Revocation**

### **General Requirements for Continuing Enrollment in Piedmont Unified School District**

Pursuant to Education Code 46600, the following are terms and conditions under which an interdistrict transfer agreement may be revoked:

1. Determination by the District that the transfer request or supporting documentation was based upon false or fraudulent information.
2. In general, students admitted under this policy must meet and maintain the following standards:
  - a. A satisfactory scholarship record (Elementary: at a sufficient rate to ensure promotion; Secondary: minimum "C" average)
  - b. Satisfactory attendance record (not willfully or habitually truant or tardy; no unexcused absences)
  - c. Satisfactory citizenship record (satisfactory citizenship in all classes and on the campus; no "U's")
3. Determination by the District that the continuing presence of the student is not in the student's best educational interest, or will interfere with the needs of other students, or both.

4. The interdistrict transfer agreement of any student who violates the disciplinary provisions of Education Code section 48900 will be subject to revocation, pending the outcome of disciplinary proceedings

**Notification**

~~Notice of acceptance or denial of an application for interdistrict transfer may occur as late as the first week of the semester for which the student has applied.~~

(see also Administrative Regulation 5111.1, “Residency”)

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