

# 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

Adopted: June 24, 1986

Revised: July 5, 2000

Revised: July 24, 2002

Revised: July 23, 2002

Revised: July 23, 2003

Revised: June 22, 2005

Revised: June 14, 2006

Revised: August 23, 2006

Revised: September 14, 2011

Revised: June 12, 2019

## PIEDMONT UNIFIED SCHOOL DISTRICT

Students

AR 5117

### INTERDISTRICT ATTENDANCE

#### 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.

#### 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 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.
3. 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.
4. 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.
5. Transportation shall not be provided for students attending on an interdistrict attendance agreement at any time.
6. 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](#))
7. 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.
8. 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 of 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 the 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 the 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<sup>nd</sup> Priority: 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: 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.

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.

---

<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.

When a District employee ceases employment with the District, ~~he/she~~ they shall withdraw ~~his/her~~ their 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: Children of the City of Piedmont Government Employees**

The District may admit children of ~~full-time~~ City of Piedmont government employees employed at least 10 hours a week. 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 seasonal employees (e.g. limited term Summer staff) consultants or contractors 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~~ they shall withdraw ~~his/her~~ their 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 of Piedmont 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: 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~~ they shall withdraw ~~his/her~~ their child from the District no later than the end of the current semester.

**6<sup>th</sup> Priority: Children Residing on Calvert Court and Oakland Parcels on Somerset Road**

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. The same considerations will be applied to Oakland parcels on Somerset Road in which ingress and egress are through the City of Piedmont.

**7<sup>th</sup> Priority: Residences on Approved Piedmont Split Parcel Properties with any portion of the residence on the Piedmont Parcel**

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. 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. 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).

- e. 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.
- f. 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.
- 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.

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.

**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 (no portion of residence is in Piedmont) 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 of lack of capacity within the District will be placed on a waiting list, and their application will be considered if space becomes available.

**Nonresident Admission to Millennium High School**

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

**Grounds for Revocation**

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. 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

(see also Administrative Regulation 5111.1, "Residency")

Approved: June 24, 1986  
Revised: July 5, 2000  
Revised: July 24, 2002  
Revised: July 23, 2003  
Revised: July 26, 2006  
Revised: February 14, 2007  
Revised: December 12, 2007  
Revised: September 10, 2008  
Revised: November 10, 2009  
Revised: August 24, 2011  
Revised: December 9, 2015  
Revised: March 11, 2016  
Revised: June 12, 2019  
Revised:

