

ORANGE COUNTY DEPARTMENT OF EDUCATION

Costa Mesa, California

BOARD POLICY

300-2

Interdistrict Attendance Appeal Hearings

The person having legal custody of a pupil may file a formal appeal to the Orange County Board of Education after the failure or refusal of the governing board of either school district to issue a permit, or to enter into an agreement allowing the attendance.

The Orange County Board of Education shall, after the formal appeal is filed, determine whether the pupil should be permitted to attend in the district in which the pupil desires to attend and the applicable period of time.

The Orange County Superintendent of Schools or the Orange County Superintendent of Schools' designee shall establish procedures and timelines that will meet the Education Code requirements regarding interdistrict attendance appeal hearings.

The Orange County Board of Education will consider a number of issues in the best interests of the child when hearing an interdistrict appeal, including, but not limited to, the following:

1. The transportation needs of the family;
2. The child care needs of the family;
3. Other siblings in the family. For example, when the student has a sibling or other member of the household attending school in the receiving district, to avoid splitting the family or household's attendance;
4. The continuity of the child's current educational program (e.g., completion of elementary school, middle school or high school). For example, to allow the student to complete a school year when his or her parents or guardians have moved out of the district during the year;
5. Whether the specialized academic classes, programs or other educational opportunities offered by the school district of residence are demonstrably equivalent (e.g. during class hours and not after school, similar course offerings, similar number of courses) to the specialized academic classes, programs, or other educational opportunities offered by the school district requested (e.g. Magnet programs, technology, or Science, Technology, Engineering and Mathematics (STEM) or Science, Technology, Engineering, Arts and Mathematics (STEAM) programs, music or art programs);
6. The parent's place of employment;
7. Other relevant issues that impact the child's attendance at school.

Reference: Education Code Section 46601

Adopted: 06/18/1996

Revised: 08/16/2017