

San Mateo County Board of Education Policy

Students

BP 5110

Interdistrict Attendance Appeals

Pursuant to Education Code Section 46601 *et seq.*, the San Mateo County Board of Education shall hear and resolve interdistrict attendance appeals.

Disposition of interdistrict attendance appeals shall be based on the following guidelines:

1. It is presumed that a pupil is generally required to attend school in the district of residence of either the parent or legal guardian.
2. That a request for attendance in a district other than the district of residence, whenever possible, should be resolved by the governing boards of the two districts involved.

The County Board is given authority by law to adopt rules and regulations establishing procedures for interdistrict attendance appeals. In an effort to make such legal procedures understandable to parents, guardians, students and school districts, the County Board has reviewed and adopted the contents of the “Interdistrict Attendance Appeal Handbook” dated March 20, 2019. The Handbook is established as a board regulation to govern interdistrict attendance appeals filed with the County Board.

The County Board has established limits on the types of appeals it will consider regarding interdistrict attendance agreements. These limitations are set forth in detail in Board Regulation 5110: Interdistrict Attendance Appeal Handbook.

Although the law allows total discretion by the County Board to determine whether to grant or deny an interdistrict attendance agreement on appeal, the County Board has adopted certain criteria to guide its decision. The County Board believes that it is the responsibility of the person filing the appeal to provide facts that meet one or more of the criteria. Even if the appellant submits such facts, the County Board may also consider any adverse impacts to the school district(s) in question and balance the competing factors. The criteria to be considered by the County Board are set forth in the Handbook.

Legal References:

Education Code 46601-46604 Interdistrict Attendance Computation

Education Code 48204 Residency requirements for school attendance

Adopted 11/10/76; Revised 01/20/82, 10/02/85, 08/21/91, 04/05/95, 09/06/06, 05/07/08,
12/12/12, 3/20/19