

Regulation 5117: Interdistrict Attendance

Status: ADOPTED

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Interdistrict Attendance Agreements and Permits

In accordance with an agreement between the District and any other district, a permit authorizing a student of either district to enroll in the other district may be issued upon approval of both districts.

The District shall post on its website the procedures and timelines for requesting an interdistrict transfer permit, including a link to Board Policy 5117 - Interdistrict Attendance. The posted information shall include, but is not limited to: (Education Code 46600.1, 46600.2)

1. The date upon which the District will begin accepting and processing interdistrict transfer requests for the following school year.
2. The reasons for which the District may approve or deny a request, and any information or documents that must be submitted as supporting evidence.
3. If applicable, the process and timelines by which a denial of a request may be appealed within the District before the District renders a final decision.
4. A statement that failure of a parent/guardian to meet any timelines established by the District shall be deemed an abandonment of the request for an interdistrict transfer permit.
5. Applicable timelines for processing a request, including the following statements:
 - a. For an interdistrict transfer request received by the District 15 or fewer calendar days before the commencement of instruction in the school year for which the transfer is sought, the District will notify the parent/guardian of its final decision with regard to the request within 30 calendar days from the date the request was received.
 - b. For an interdistrict transfer request received by the District more than 15 days before the commencement of instruction in the school year for which the interdistrict transfer is sought, the district will notify the parent/guardian of its final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction in the school year for which transfer is sought.
6. The conditions under which an existing interdistrict transfer permit may be revoked or rescinded.

Priority for interdistrict attendance shall be given to a student who has been determined, through an investigation by either the 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)

Until the District is at maximum capacity, the District shall accept any student whose interdistrict transfer application is based on being the victim of an act of bullying or a child of an active duty military parent/guardian. The District shall ensure that such students are transferred through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether a student should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics set forth in Education Code 220, including, but not limited to, disability, race or ethnicity, gender, gender identity, gender expression, and immigration status. (Education Code 46600)

Additionally, when sufficient space is available, the Superintendent or designee may approve interdistrict attendance permits on a case-by-case basis for various reasons, including, but not limited to the following prioritized categories, before considering other permit requests:

1. The student's parent/guardian is a Manhattan Beach Unified School District employee. Notwithstanding the timelines set forth in Paragraph 5, above, a student whose parent/guardian is a Manhattan Beach Unified School District employee may apply for, and be granted, an interdistrict attendance permit at any time during a school year.
2. The student is a sibling of any student who currently attends a Manhattan Beach Unified School District school, or of a student who graduated from Mira Costa High School at the conclusion of the previous school

year.

3. The student is in grades 9 through 12 and resides in north Redondo Beach, CA.
4. The student's parent/guardian is a City of Manhattan Beach employee.
5. The student is a grandchild of an individual(s) who lives within the boundaries of the District.
6. The student has a valid interest in a particular educational program not offered in the district of residence.

When parent(s)/guardian(s) move out of the District during an academic year, the student may complete the academic year during which their parent(s)/guardian(s) moved out of the District. These permits are not subject to available space or the prioritized categories listed above, but are subject to approval/release by the student's new district of residence and are automatically terminated upon completion of that school year regardless of the student's grade level.

When recommended by the school attendance review board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence, a student may apply for an interdistrict transfer permit.

The Manhattan Beach Unified School District does not grant admission or approve interdistrict attendance agreements/permits based solely on child care needs or the location of a parent's/guardian's employment within the District.

The Superintendent or designee will maintain a list of applications for individual interdistrict attendance agreements/permits, and will date stamp and rank them within each category according to when the District receives the official completed application. When multiple applications are received on the same day, the applications will be time stamped.

The following is the procedure for processing applications for interdistrict attendance agreements/permits:

1. For K-8 students, parent(s)/guardian(s) may initiate the process by obtaining the Manhattan Beach Unified School District Interdistrict Attendance Agreement/Permit Application and having the district of residence sign the form, confirming its agreement. If the district of residence will not sign the Manhattan Beach Unified School District Application form, the District will accept the district of residence's official method/manner (e.g., signature on district of residence form, approval via email, etc.) of signifying its release of the student and approval of the interdistrict agreement/permit terms, which shall be attached to the District's Interdistrict Attendance Agreement/Permit Application (Application). For 9-12 students, parents/guardians may initiate this process by using the Manhattan Beach Unified School District Application or the application form/release from their school district of residence (DOR Application).
2. The District will require the parent/guardian to submit supporting documentation on behalf of the student that verifies the student's satisfactory past school attendance, achievement, and behavior.
3. All incoming student applicants must have at least a 3.0 GPA, positive attendance, and positive behavioral history to be considered for an interdistrict attendance agreement/permit.
4. The parent/guardian delivers the signed and completed Application (or DOR Application for 9-12 students) to the Manhattan Beach Unified School District. If/when the district of residence has denied a request for release, and parent/guardian has initiated a valid appeal, the Application/DOR Application will be considered completed for purposes of date and time stamping so long as parent/guardian concurrently submits sufficient proof of the initiation of the appeal, and all other application requirements are satisfied. If such appeals are not granted by the date on which the District grants/denies permit applications, those applications shall be denied by the District. The completed Application/DOR Application is date stamped on the day it is received by the District.
5. The Superintendent or designee shall approve or deny each application according to the following timelines:
 - a. If the transfer request is for a school year that begins within 15 calendar days of the receipt of the request, the Superintendent or designee shall notify the parent/guardian of the final decision with regard to the request within 30 calendar days of receiving the request. If the transfer request is for a school year that begins more than 15 calendar days after the receipt of the request, the parent/guardian shall be notified of the final decision as soon as possible, but no later than 14 calendar days after the

commencement of instruction during that school year. (Education Code 46600.2)

- b. Applications/DOR Applications filed during a school year for that school year will not be accepted and will be automatically deemed denied without any written or verbal response.
6. If the Superintendent or designee approves the Application/DOR Application, he/she shall sign the interdistrict attendance permit Application/DOR Application and mark it "approved." One copy shall be provided to the District school that the student will attend, one copy shall be filed at the District Office, and one copy shall be provided to the student's district of residence.

Interdistrict Attendance Permits

The District will issue interdistrict agreements/permits pursuant to its BP/AR 5117. Once an interdistrict attendance agreement/permit is approved under the rules and regulations of BP/AR 5117, the student will remain a student of Manhattan Beach Unified School District so long as they continue to comply with the rules and regulations specified in BP/AR 5117. If a 9-12 grade student's permit is granted based on a DOR Application, the terms and conditions under which such permit shall be revoked shall be based upon the Manhattan Beach Unified School District's AR 5117, regardless of whether the DOR Application includes conflicting or different terms and conditions.

Students admitted to the District by interdistrict attendance agreement/permit may continue to attend District schools subject to the bases for revocation specified below.

Interdistrict attendance agreements/permits may be denied or revoked by the Superintendent or designee due to considerations that are not arbitrary, including, but not limited to, one or more of the following determinations:

1. Approval of the interdistrict agreement/permit would negatively impact the capacity of a program, class, grade level, or school building, such as:
 - a. The site, classroom, or program would exceed the maximum student-teacher ratio specified in the District's collective bargaining agreement;
 - b. The site, classroom, or program would exceed the maximum established by the Board pursuant to Board Policy 6151;
 - c. The site or classroom would exceed the physical capacity of the facility pursuant to the District's facilities master plan or other facility planning document; or
2. Approval of the interdistrict agreement/permit would have an adverse financial impact on the District, such as requiring:
 - a. The hiring of additional certificated or classified staff;
 - b. The operation of additional classrooms or instructional facilities; or
 - c. Expenses incurred by the District that would not be covered by the apportionment of funds received from the state resulting in a reduction of the resources available to resident students.
3. A new program or service would be required to serve the student.
4. The student does not profit from instruction and/or disrupts the learning environment. This may include discipline referrals, and/or excessive tardies or absences. Additionally, students must have at least a 3.00 grade point average to be transferred to a District school on an interdistrict attendance agreement/permit. Once enrolled in the District, the student attending a District school pursuant to an interdistrict attendance agreement/permit must maintain a 2.0 grade point average.
5. The parent/guardian made false statements or misrepresentations when applying for the current or a past individual interdistrict attendance agreement/permit.
6. The student has adjustment problems and/or the welfare of the student and/or of other students is compromised or endangered. This may include, but is not limited to, lack of before or after-school care.

Appeal Process for Denials or Revocation of Interdistrict Attendance Agreements/Permits

If the transfer request is for a school year that begins within 15 calendar days of the receipt of the request, the Superintendent or designee shall notify the parent/guardian of the final decision with regard to the request within 30 calendar days of receiving the request. If the transfer request is for a school year that begins more than 15 calendar days after the receipt of the request, the parent/guardian shall be notified of the final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction during that school year, including a specific reason for the action and information about the District appeal process. (Education Code 46600.2)

If a student's interdistrict transfer request is denied, the Superintendent or designee shall, in writing, notify the parents/guardians of their right to appeal to the County Board of Education within 30 calendar days from the date of the final denial. (Education Code 46600.2)

All notices to parents/guardians regarding the District's decision on any request for interdistrict transfer shall conform to the translation requirements of Education Code 48985, and may be provided by regular mail, electronic format if the parent/guardian provides an email address, or by any other method normally used to communicate with parents/guardians in writing. (Education Code 46600.2)

Pending a decision by the two districts or by the County Board on appeal, the Superintendent or designee may provisionally transfer a student who resides in another district for a period not to exceed two school months, provided the district is the district of proposed enrollment. If the decision has not been rendered by the conclusion of two school months and the districts or County Board is/are still operating within the prescribed timelines, the student shall not be allowed to continue attending the District school to which the student was provisionally transferred. (Education Code 46603)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or rescissions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

Once a student is admitted to a school on the basis of an interdistrict attendance permit, the student shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school of enrollment, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall not be rescinded after June 30 following a student's completion of grade 10 or for any student entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

All individual interdistrict attendance agreements/permits must be approved by the Superintendent or designee in accordance with Board policy/regulation. The parent/guardian of a student on an individual attendance agreement/permit is responsible for all transportation of the student to and from a District school and must provide school officials with assurance that he/she will be responsible for providing the student with before and after-school care.

The District shall not knowingly accept students who are not District residents without an interdistrict attendance agreement/permit, unless expressly authorized under the Education Code. Interdistrict attendance permits will not be required for students enrolling in a Regional Occupation Center or in a Regional Occupation Program. (Education Code 52317)
