

INTERDISTRICT ATTENDANCE

If the board of a school district in Mendocino County neglects or refuses to enroll a homeless student as defined by the McKinney-Vento Homeless Education Act of 2001, the student shall be referred to the McKinney-Vento coordinator and the County Superintendent shall request that the district immediately enroll the student in the school that either the student's parent or guardian requested or requested by an unaccompanied youth (homeless student), while the matter is under appeal. The coordinator shall assist the parent, guardian or student to file an appeal to the County Board of Education and to address the Board during the appeal process.

The County Board of Education will give every consideration to a parent, guardian or student filing an appeal for interdistrict transfer for reasons resulting from actual or perceived discrimination, harassment, bullying and/or intimidation.

Unlawful discrimination includes actual or perceived gender identity, gender expression, sexual orientation, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity that receives or benefits from state or federal funding.

If the board of a school district in Mendocino County neglects or refuses to enter into an interdistrict agreement in regard to any other student within thirty (30) calendar days after the person having custody of any student(s) has requested the school district to do so:

1. The student's parent or guardian may appeal within thirty (30) calendar days to the County Board.
2. The County Board shall, within thirty (30) calendar days after filing of the appeal, determine that the appeal shall be granted/ordered.

If the County Board determines that the student should be permitted to attend in the school district in which he/she desires to attend, the student(s) shall be admitted to school in this school district without delay or be allowed to remain enrolled for the designated period of time.

Generally, interdistrict agreements granted by the County Board shall be for the balance of an existing school year or for a full school year if the agreement granted is between school years.

The County Board shall base its decision on a review of the original evidence presented to the district issuing the denial. If new evidence is presented that the County

Board believes would have affected the original decision, the County Board may remand the case back to the district issuing the denial for further consideration.

This policy is intended to be declarative of the provisions of the Education Code and is not intended to expand or reduce the provisions set forth in the Code.

Legal Reference:

EDUCATION CODE

200-262 Prohibition of discrimination on the basis of sex

46600 Agreements for interdistrict attendance; terms and conditions; individual permits verifying district's approval; application

46601 Failure to approve interdistrict attendance; appeal; advice of rights

46601.5 Consideration of child care needs for students where request to enter into agreement for interdistrict attendance; duration of section

46602 Admission to school without delay upon board approval; counting attendance for revenue purposes; notice of board's decision

46603 Provisional attendance pending appeal on decision regarding interdistrict attendance

46604 Failure by district of residence to pay tuition charges

46605 Newly formed districts

48204 Interdistrict attendance

48915 Expulsion; particular circumstances

48915.1 Expulsions: enrollment in another district

52317 Admission of persons including nonresidents to attendance area; workers' compensation for pupils

GOVERNMENT CODE

11135 No person in the State of California shall, on the basis of . . .

UNITED STATES FEDERAL PUBLIC LAW

100-77 The McKinney-Vento Homeless Assistance Act of 1987

MENDOCINO COUNTY BOARD OF EDUCATION

Date Adopted: 09/16/1991

Date Revised: 09/10/2012