

**APPEAL OF DENIAL OF INTERDISTRICT ATTENDANCE**

*(This appeal should be submitted with a copy of the original interdistrict request and denial)*

TO: President, Alameda County Board of Education

FROM: \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Home Telephone)

\_\_\_\_\_  
(Work Telephone)

The above-named person lives in the \_\_\_\_\_ School District and is the parent/guardian of the following minor child/children:

Name: _____	Grade: _____	Age: _____
Name: _____	Grade: _____	Age: _____
Name: _____	Grade: _____	Age: _____

and hereby appeals to the Alameda County Board of Education to permit the child/children listed above to attend school in:

\_\_\_\_\_ School District for the \_\_\_\_\_ school year

Date of submission of "Request for an Interdistrict Permit" to the school district of residence: \_\_\_\_\_

Date that the request was denied by  district of residence and/or  requested district: \_\_\_\_\_

The reason(s) for this request *(briefly state your reason[s] for this request)*:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The reason(s) to approve the appeal *(see **Items 1-10 on reverse side** and check appropriate box[es] below)*:

1     2     3     4     5     6     7     8     9     10

Is the above-named student under a suspension or expulsion order, or being considered for expulsion?  Yes  No

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

All interdistrict appeals are held in open session unless you indicate below that one of the following two conditions exist:

- My appeal includes allegations against a student or staff member.
- My appeal requires using information of a sensitive and personal nature concerning the student.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\* \* \* \* \*

**For Office Use Only**

Previous Alameda County Board of Education hearing(s) held on \_\_\_\_\_  
12/02

## ***Excerpts from Alameda County Board of Education Policy Interdistrict Appeal Process Handbook***

The County Board supports the concept that each district has the primary responsibility for educating its resident students and, in exercising that responsibility, makes its decisions based on what is best for its students. The County Board also recognizes that parents and students have the right to an appeal process beyond the local jurisdiction.

*The County Board may approve the appeal when any of the following criteria are met:*

1. The district of residence cannot place the pupil in the particular educational program desired by the pupil and the district of requested attendance does offer such a program. ("Program" shall mean a series of classes in a single subject or in related subjects, extending over more than one year in grades 6 through 12, that have a specific occupational or educational objective.)
2. Substantial hardship or cost of before-school and/or after-school supervision of a pupil would result were such pupil required to attend the district of his/her residence.
3. There are harmful or dangerous circumstances or health issues which exist in the current attendance area which will be substantially mitigated by attendance in another school district and which cannot be addressed within the district of residence. Any professional opinion or court order offered to substantiate conditions unfavorable to the health or safety of the pupil must be submitted in writing and will be essential when the requested district's schools at the grade level requested are deemed "at capacity" according to the district's intradistrict transfer policy.
4. There has been a change in parental residence after thirty (30) days of attendance in a school semester.
5. By reason of the transfer of territory between districts, the residence of the pupil is no longer in the school district that maintains the school the pupil has previously attended.
6. A change in environment is necessary and recommended (in writing) by juvenile authorities, court psychologist, or other comparable professional.
7. The pupil's residence is located such that ingress and egress on streets or sidewalks in all directions requires travel through the district of requested attendance; and, by virtue of topography, street pattern, and location of homes in the neighborhood, the area is landlocked.
8. The pupil's residential property is located within the boundaries of two school districts.
9. Child care or other substantial family needs support the desired change in district of attendance.
10. The district has not adhered to the procedural requirements of its own interdistrict policy and the interdistrict request meets the criteria established by the district.

*If the Board finds that any of the following conditions exist, it may deny the appeal:*

1. The pupil is under suspension or expulsion by the district of his/her residence or any other district.
2. The pupil, or the parent or guardian of the pupil, has falsely claimed residence in a given district or has purposely failed to notify the district of a change in residence for the purpose of attendance in that district.
3. Complaints have been made about the presumed quality of school program, instruction or staff, or personal animosities.
4. The pupil, or the parent or guardian of the pupil, has not exhausted the interdistrict appeal process in the denying district(s).
5. The pupil, or the parent or guardian of the pupil, has not shown that attendance in the requested district is necessary or that it would pose a substantial hardship: financial, social, childcare, educational, or medical necessity.
6. Failure to appeal with thirty (30) calendar days of the denial.
7. Attendance of a pupil from out-of-district will increase a district's class size above the maximums established by the State of California or above the maximums provided for in an agreement between the district and the employee bargaining unit, or clearly place the district at risk of violating such a standard or, in the case of middle, junior high, or secondary schools, enrollment is so high that the school cannot appropriately schedule a student.
8. The interdistrict transfer would negatively impact voluntary or court-ordered desegregation plans or the racial-ethnic balance of the district.
9. The student has violated the written terms and conditions under which a previous interdistrict permit was revoked.

It shall be the responsibility of the appellant pupil, or the parent or guardian of the pupil, to provide a substantial showing that the assignment of the pupil made by the district of residence should be changed. ***You may be represented by a person of your choice, and you may present oral and/or written evidence to support your request.***