

# PIEDMONT UNIFIED SCHOOL DISTRICT

## Board Policy

**Students**

**BP 5117**

### **INTERDISTRICT ATTENDANCE**

The schools of this District shall be operated for the benefit of children residing in the District with such exceptions as are permitted by law and this policy.

#### **Interdistrict Transfer Agreement**

The Board of Education may enter into interdistrict transfer agreements with other school districts regarding the enrollment of nonresident students. The Superintendent reserves the right to revoke any interdistrict transfer agreement at any time, subject to the rules and standards that apply to pupils who reside in the school district of enrollment.

#### **Transfer of Resident Students to Out of District**

The Board may enter into interdistrict agreements for the transfer of resident students to other districts when the student's needs cannot be met by the programs of the District.

#### Legal Reference:

##### EDUCATION CODE

- 46600-46611 Interdistrict attendance agreements
- 48204 Residency requirements for school attendance
- 48209-48209.17 Student attendance alternatives
- 48915 Expulsion; particular circumstances
- 48915.1 Expelled individuals: enrollment in another district
- 48918 Rules governing expulsion procedures
- 48980 Notice at beginning of term
- 52317 Enrollment of students, interdistrict attendance

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## PIEDMONT UNIFIED SCHOOL DISTRICT

Students

AR 5117

### INTERDISTRICT ATTENDANCE

#### Categories of Eligible Nonresident Students

The following categories constitute the types of nonresident students eligible for interdistrict attendance. Nonresident attendance in the District is subject to those terms and conditions expressed in the Administrative Regulations which apply to this section.

#### 1. Parents Constructing or Remodeling a Home in Piedmont

After design review process approval has been granted by the City of Piedmont City Council and written verification is provided by the City (property owner's responsibility to obtain this information and provide to District); and after the property owner has provided written documentation and verification from the City of Piedmont Building Department that construction (pouring of the foundation and/or erection of forms) is underway, the District may conditionally admit to attendance any nonresident/resident student whose parents have begun construction or extensive remodeling of a home in Piedmont into which they intend to move/move back into.

The following information is required by the District from the property owner:

- a. Copy of City of Piedmont building permit and contractor's statement of the anticipated completion date (property owner's responsibility to obtain this information and provide to District).
- b. Written confirmation from the City of Piedmont Building Department that construction (pouring of the foundation and/or erection of forms) is underway (property owner's responsibility to obtain this information and provide to District).

For extensive renovation projects on an existing home where it is impractical to reside in the home during construction, an interdistrict transfer permit will be granted for one school year (two consecutive semesters). This condition must be verified by the District's Residency Verification Officer in consultation with the City of Piedmont Building Department.

Upon written verification by the contractor that reasonable additional time is needed to complete the project, and upon confirmation from the City, an additional school year (two consecutive semesters following the first two semesters) may be granted, for a total period of not to exceed two school years (four consecutive semesters).

An interdistrict transfer permit must be submitted at initial enrollment and for transition years 5<sup>th</sup> to 6<sup>th</sup> grade and 8<sup>th</sup> to 9<sup>th</sup> grade. An interdistrict permit must be on file for the period of time that a student is not residing in Piedmont, but for no longer than two school years (four consecutive semesters).

For the construction of a new home, an interdistrict transfer will be granted for no longer than a period of up to two school years (four consecutive semesters). Renovation of a home may not be granted for this amount of time. Additional proofs of construction progress

from the City of Piedmont Building Department will be mandatory at the beginning and at the end of each semester. It will be the responsibility of the property owner to obtain this information from the City and provide to the school district.

An interdistrict transfer permit will not be approved for the period of time of the design planning phase for a renovation/remodel project or new home construction.

Proof of actual residency at the home being moved into/back into Piedmont will be required, including:

- copy of Final Inspection and Certificate of Occupancy from the City of Piedmont Building Department
- confirmation by the Residency Verification Officer
- proof of termination of service of PGE or EBMUD from the former temporary residence.

## **2. Parents Purchasing a Home in Piedmont**

The District may conditionally enroll a nonresident student whose parents have purchased a home in Piedmont into which they intend to move within thirty (30) days, with proper written documentation and verification from the title or escrow officer stating the name of the purchasers, address and parcel number of the property; that escrow has closed on the property; and that the parties are on title at the address.

Within thirty-five (35) days after move in, a certified copy of the filed deed must be provided to the District, along with three additional proofs of residency (see "Proofs of Residency" list) as follows:

### Proofs of Residency

- Current original Property Tax Bill from Alameda County Tax Collector's Office
- State or Federal tax return, with current imprinted name and address, filed within the past 12 months business returns do not meet residency requirements) (figures can be blocked out)
- Current W-2 Form with current imprinted address (figures can be blocked out)
- Current Bank Statement with current imprinted name and address, showing activity within the last 30 days (figures can be blocked out)
- Original copy of entire PGE bill or EBMUD bill within last 30 days which shows "Service to" portion of bill and name and address (copy will be made and original returned), and proof of termination of service from former residence [proof of termination not needed for present property owners]
- One current major credit card statement showing activity within the last thirty (30) days, with current imprinted name and address portion (figures can be blocked out)

The District reserves the right to request any additional proofs of residency as necessary.

## **3. High School Juniors and Seniors Who Have Moved Out of the District<sup>1</sup>**

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<sup>1</sup> Interdistrict Education Code 46600 (a)(4) Notwithstanding paragraph (2), a school district of residence or school district of enrollment shall not rescind existing transfer permits for pupils entering grade 11 or 12 in the subsequent school year.

The District may allow high school juniors and seniors eligibility for interdistrict attendance, if they meet all of the following conditions:

- a. it has been confirmed that the student(s)/parent(s) were legally residing in Piedmont immediately previous to the request for "junior/senior privilege"
- b. the student moves away after completion of his/her sophomore year in high school and has satisfactorily completed at least 140 units in a Piedmont high school with a "C" average, and no unsatisfactory citizenship grades;
- c. the student will complete his/her senior course of study in one school year or less.

In all of the situations listed above, a student must have an interdistrict transfer permit on file.

No interdistrict transfer will be approved for a student requiring more than two school years to meet graduation requirements.

#### **4. Children of Piedmont Unified School District Employees**

The District may admit the children of District employees. To be eligible, certificated (K-12) teachers and classified employees must be employed at least 40% of full-time or a classroom aide for 10 hours a week. In order to balance class size and composition, the District has the discretion to assign students to the school site and classroom of its choice. As stated in District policy, admission will be contingent on space availability, and at the elementary level, the District has through the first two weeks of the beginning of the school year to move students.

Children of District employees enrolled as of the 2002-03 school year shall retain eligibility for subsequent school years if the parent's employment status is reduced below the minimum requirement due to lay-off or a voluntary reduction in time in lieu of layoff as a result of budget cuts.

For the 2009-10 school year, only, the District will allow District employees who were laid off and not reinstated in the 2009-10 school year and have students enrolled in the District for the 2009-10 school year, to retain eligibility for subsequent school years through the natural grade level break. For example, a kindergartener through fifth grader could continue through fifth grade; a sixth grader through eighth grader could continue through eighth grade; and a ninth grader through twelfth grader could continue through the twelfth grade in Piedmont schools.

An interdistrict transfer permit for the student must be submitted at initial enrollment and for transition years 5<sup>th</sup> to 6<sup>th</sup> grade and 8<sup>th</sup> to 9<sup>th</sup> grade.

When a District employee ceases employment with the District, he/she shall withdraw his/her child from the District no later than the end of the current semester.

#### **5. Children of the City of Piedmont Government Employees**

The District may admit children of full-time City government employees. A City government employee is defined as an employee who is on a regularly scheduled City of Piedmont

government employee payroll on which appropriate deductions occur. It does not include consultants for the City of Piedmont, nor persons who are employed within the City of Piedmont limits.

The District will hold open fourteen slots for the children of full-time City employees. These slots will be filled at the discretion of the City under the conditions specified in Board policy and in the Administrative Regulation.

Upon request, a City employee may be required to provide proof of employment.

When a City of Piedmont employee ceases employment with the City, he/she shall withdraw his/her child from the District no later than the end of the current semester.

## **6. Children of the Piedmont Education Foundation (PEF) Director**

The District may admit children of the Executive Director for the Piedmont Education Foundation. The PEF Executive Director is defined as the managing director of PEF, responsible to the PEF Board, who is on a regularly scheduled PEF employee payroll in which appropriate deductions occur. It does not include consultants for PEF.

When the PEF Executive Director ceases employment with PEF, he/she shall withdraw his/her child from the District no later than the end of the current semester.

## **7. Children Residing on Calvert Court**

Because ingress and egress to all properties on Calvert Court are through the City of Piedmont, some of which properties are located in Oakland, children residing on any of the Oakland parcels on Calvert Court may be admitted to Piedmont schools, with the required proofs of residency (see AR 5111.1), and the submittal of an interdistrict transfer permit before initial enrollment and for transition years 5<sup>th</sup> to 6<sup>th</sup> grade and 8<sup>th</sup> to 9<sup>th</sup> grade.

## **Regulations Governing the Interdistrict Attendance of Children of District and City Government Employees**

### **Priority**

If space is not available to accommodate all interdistrict transfer requests related to employment, eligible employees will receive priority in the following order:

1. Piedmont Unified School District Employees
2. Full-time City of Piedmont government employees

If eligible applicants within a priority category exceed the number of openings, an administrative committee will review the requests based on a variety of criteria including but not limited to the following:

- a. The length of time a student has been in Piedmont Unified School District;
- b. The length of employment of the parents;
- c. The full-time (City and District employees) or part-time status (District employees) of the parent;

- d. Siblings enrolled in the District; and
- e. The unique needs of the District or the City

These criteria are not listed in priority order.

## **8. Residences on Approved Split Parcel Properties**

Children of homeowners whose property is a split parcel, meaning a residential property located within both the City of Piedmont and City of Oakland boundaries, may be eligible for admittance to Piedmont schools based on meeting **all** of the following conditions and regulations:

- a. The parcel in Piedmont must have its own separate Assessor's Parcel Number, as assigned by the Alameda County Assessor's Office;
- b. The amount to be assessed will be determined by the use code assigned by the Alameda County Assessor's Office and any disputes would be between the property owner and the Alameda County Assessor's Office. The District will abide by the decision of the Alameda County Assessor's Office.
- c. The property owner will be responsible for paying Piedmont Unified School District parcel taxes on its Piedmont parcel in addition to all other applicable City of Oakland taxes
- d. If the homeowner discontinues paying the school parcel taxes on the Piedmont parcel, children of the homeowner will no longer be eligible to attend Piedmont schools
- e. The property owner must be either the parents or court-appointed legal guardians of the children. The property owner must reside at that address, as well as the children, and the property owner must be paying Piedmont Unified School District parcel taxes on the Piedmont parcel. In the event of joint custody, a student must reside on the split parcel at that address with the Piedmont parent at least 50% of each school week. The District has the legal right to verify residency by conducting home visits or through other information provided (including neighbors).
- f. If the split parcel homeowner moves from the property to a residence outside of Piedmont, students will no longer be eligible to attend Piedmont schools. This includes if a homeowner rents the split parcel property: children of the renters may attend Piedmont schools, but not the children of the homeowner
- g. Proofs of residency must be provided (see "Proofs of Residency" list). The District reserves the right to annually request proofs of residency and Piedmont school parcel tax payments if any residency issues arise.
- h. An approved Interdistrict Transfer Permit from Oakland must be on file and re-submitted for transition years 5<sup>th</sup> to 6<sup>th</sup> grade and 8<sup>th</sup> to 9<sup>th</sup> grade.
- i. Approval by the school district for student enrollment does not make the split parcel owner or student(s) with an Oakland address eligible for any City of Piedmont services, such as 911 emergency services, City of Piedmont Recreation Department residency discounts, etc.
- j. If the assessment of Piedmont Unified School District taxes on the Piedmont portion of the split parcel is approved by the Alameda County Assessor's office but the Oakland Unified School District does not approve the Interdistrict Transfer permit, the student(s) of the homeowner will not be eligible to attend Piedmont schools.

The Superintendent or designee will make the final determination as to eligibility, after research of a property and any needed consultations with legal counsel and/or the Alameda

County Assessor's Office as may be necessary. A student will not be allowed to enroll in Piedmont schools until confirmation is received from the Alameda County Assessor's Office that the parcel is eligible for assessment of Piedmont Unified School District parcel taxes and an approved Interdistrict Transfer permit is received by Oakland Unified School District.

Children of Oakland property owners whose house is on the Oakland parcel, yet own an adjoining parcel in Piedmont are not eligible for admittance to Piedmont schools because they do not reside in Piedmont.

### **Limitations of Interdistrict Transfers**

1. No student will be accepted for interdistrict transfer where the cost of his/her education will exceed the amount of additional state funds received by the District as a result of the transfer.
2. No student will be accepted for interdistrict transfer where he/she requires services which adversely impact District finances or programs.
3. No student shall be enrolled on an interdistrict transfer basis if that student's enrollment will cause any class to exceed class-size limits set by the District.
4. The interdistrict transfer agreement of any student who violates the disciplinary provisions of Education Code section 48900 will be subject to revocation, pending the outcome of disciplinary proceedings.
5. No student shall be enrolled on an interdistrict transfer basis if the District has inadequate facilities to accommodate the student or if it would require the District to create a new program or provide a new service to serve the student. (Education Code 48209.3)
6. Transportation shall not be provided for students attending on an interdistrict attendance agreement at any time.
7. The Superintendent or designee may revoke any individual interdistrict attendance agreement at any time.

### **Nonresident Admission to Millennium High School**

The Superintendent will review all interdistrict transfer applications for admission to Millennium High School.

### **General Requirements for Continuing Enrollment in Piedmont Unified School District**

In general, students admitted under this policy must meet and maintain the following standards:

1. A satisfactory scholarship record (Elementary: at a sufficient rate to ensure promotion; Secondary: minimum "C" average)
2. Satisfactory attendance record (not willfully or habitually truant or tardy; no unexcused absences)
3. Satisfactory citizenship record (satisfactory citizenship in all classes and on the campus; no "U's")

## **Notification**

Notice of acceptance or denial of an application for interdistrict transfer may occur as late as the first week of the semester for which the student has applied.

(see also Administrative Regulation 5111.1, "Residency")

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