

Riverside County Office of Education
Board Bylaw 9620 Interdistrict Attendance Appeal

BYLAWS OF THE BOARD

SUBJECT: Interdistrict Attendance Appeal

The Riverside County Board of Education (RCBE) shall hear an interdistrict attendance appeal within the time frame prescribed by law when either of the governing boards of the affected districts fail or refuse to enter into an interdistrict attendance agreement.

In the event that compliance by the RCBE within the time requirement for determining whether the pupil should be permitted to attend in the school district in which the pupil desires to attend is impractical, the RCBE or the Riverside County Superintendent of Schools (RCSS), for good cause, may extend the time period for up to an additional five schooldays. The RCBE shall provide adequate notice to all parties of the date and time of any hearing scheduled and of the opportunity to submit written statements and documentation and to be heard on the matter pursuant to rules and regulations adopted by the RCBE. The RCBE shall render a decision within three schooldays of any hearing conducted by the RCBE unless the person who filed the appeal requests a postponement.

The RCBE may provide for any hearing to be conducted by a hearing officer or by an impartial administrative panel of three or more certificated persons appointed by the RCBE. A member of the impartial administrative panel shall not be a member of the RCBE, nor be employed by the school district of residence or the school district of desired attendance.

If the hearing officer/panel is not authorized to decide whether the pupil should be permitted to attend in the school district in which the pupil desires to attend, the RCBE within 10 days of receiving the recommended decision shall render a decision.

The RCSS or designee shall investigate to determine whether local remedies in the matter have been exhausted and to provide any additional information deemed useful to the RCBE in reaching a decision.

The RCBE's rules may provide for the granting of continuances upon a showing of good cause.

Legal Reference:

Education Code

46601 - Failure to Approve Interdistrict Attendance;
Appeal; Advise of Rights

46601.5 - Consideration of Child Care Needs

46602 - Admission to School without Delay upon Board
Approval; Counting Attendance; Notice of Board's Decision

46603 - Provisional Attendance Pending Appeal