

Dear Appellant:

This packet has been prepared to assist you in filing an appeal of the denial of an interdistrict attendance permit to the Sonoma County Board of Education. The following materials are enclosed:

- Interdistrict Attendance Appeal and Request for Hearing form
- Interdistrict Attendance Appeal: A Brochure for Parents and Guardians
- Sonoma County Board of Education Policy [5117\(a\)](#)

It is the County Board's expectation that interdistrict attendance requests be handled at the local level between the districts involved. **Before requesting an appeal hearing with the County Board, you must exhaust any established appeal process of the district denying your request.**

If resolution is not possible, the enclosed handbook should guide you through the interdistrict attendance appeal process. Fully complete the enclosed Interdistrict Attendance Appeal and Request for Hearing form, attach a copy of your original interdistrict attendance request and denial, and submit it to the Sonoma County Office of Education, 5340 Skylane Blvd., Santa Rosa, California 95403, attention Lacey Goff.

The County Board understands the process for filing an appeal is probably a new and complex experience that can be confusing. The written materials enclosed in this packet have been designed to assist you. The Sonoma County Office of Education staff is available to address your questions about the appeal process. You may engage an attorney or other advocate to present your case to the Board.

Please be advised that the Interdistrict Attendance Appeal and Request for Hearing form must be fully completed and received by the Sonoma County Office of Education within thirty (30) days of the district's denial of your request for an interdistrict attendance permit.

Once scheduled, the hearing will be conducted in closed session unless the parent or legal guardian request in writing that the hearing be held in open session within the time specified in Board Policy 5117. The Board strongly discourages the attendance of pupils at the hearing.

Please feel free to call (707) 524-2605 should you have any further questions.

Lacey Goff
Administrative Operations Specialist
Sonoma County Office of Education

Enclosures

INTERDISTRICT ATTENDANCE APPEAL AND REQUEST FOR HEARING

Must be filed within 30 calendar days of denial of request for interdistrict attendance permit. This form must be submitted with a copy of the original request for interdistrict attendance permit and the district's notice of denial.

DATE: _____

TO: SONOMA COUNTY BOARD OF EDUCATION
5340 Skylane Blvd.
Santa Rosa, CA 95403
Attn: Lacey Goff, Superintendent's Office

In accordance with Education Code Section 46601 and the Sonoma County Board of Education Policy [5117\(a\)](#), an interdistrict attendance appeal hearing is hereby requested.

Please print or type; additional pages may be attached if necessary.

Pupil's name: _____

Birthdate: _____ Grade: _____

School Presently Attending or Last Attended: _____

How Long? _____

Parent/Legal Guardian: _____

Address: _____

Telephone number (Home): _____ (Work): _____

School District of Residence: _____

School District of Desired Attendance: _____

Date Request for Interdistrict Attendance Permit submitted to District of Residence: _____

School District Denying Request: _____ Date: _____

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**What is/are your reason(s) for requesting an interdistrict attendance permit?
(Copy of Request for Interdistrict Attendance Permit must be attached.)**

What is your understanding of the reason your request was denied?

What efforts have you made to resolve the dispute with the district?

I certify that I have received and read the Interdistrict Attendance Appeal Handbook and understand that there are certain requirements I must comply with in proceeding with this appeal. I further certify that this information is true and correct to the best of my knowledge.

X _____
Signature of Parent/Legal Guardian Date

Interdistrict Attendance Appeal

A Handbook for Parents



Sonoma County
Office of Education

Sonoma County Office of Education

Amie R. Carter, Ed.D.
Sonoma County Superintendent of Schools

A Message from the Sonoma County Board of Education

A duty of the Sonoma County Board of Education is to hear and rule on interdistrict transfers when a parent or guardian appeals a district's decision to deny a request for interdistrict attendance. The County Board has developed this brochure to explain the interdistrict attendance appeal process.

The County Board thoroughly evaluates each request and will determine each request on its merits. In addition to the information below, you are encouraged to review California Education Code Section 46601, the school districts' policies and administrative procedures for approving or denying interdistrict transfers, and the County Board's policy for interdistrict attendance appeals.

We sincerely hope that this brochure will be useful to you in understanding your rights and the best way to prepare your case.

Gina Cuclis
Herman Hernandez
Steven D. Herrington
Peter Kostas
Mary Watts

When May I Request an Interdistrict Attendance Appeal Hearing?

You may request an appeal hearing with the Sonoma County Board of Education:

1. After your request for an interdistrict transfer has been denied by either your district of residence or the district of desired attendance **AND** you have exhausted the appeal process of the denying district(s)

Note: The appeal process for each district may vary. You will need to check with the district denying your request and follow its procedures.

OR

2. **For an interdistrict transfer during the current school year:** When either district fails to respond to your request within (30) calendar days

OR

3. **For an interdistrict transfer for the next school year:** When either district fails to respond to your request within fourteen (14) days after the start of the new school year, and you have made the request thirty (30) days or more prior to the start of that school year

You may not appeal the revocation of an interdistrict attendance permit. You also may not appeal the denial of an interdistrict attendance request if your child is under consideration for expulsion or has been expelled.

How Do I Request an Interdistrict Attendance Appeal Hearing?

You may begin the appeal process by obtaining an Interdistrict Attendance Appeal packet form from the Sonoma County Office of Education. This request may be made:

By phone:
(707) 524-2605

In person:
5340 Skylane Blvd.
Santa Rosa, CA 95403

Online:
scoe.org

The appeal form must be completed and returned within thirty (30) days of the district denial of your Request for Interdistrict Attendance Permit or may be submitted when the districts fail to respond within thirty (30) days.

Please complete all sections of the form legibly. The reasons for requesting an interdistrict transfer stated on the appeal form should closely approximate those stated on the original request form that was considered by the district. **If the reasons have changed, you will be referred back to the district denying the request for further consideration.**

Submit your completed appeal form with a copy of your original Request for Interdistrict Attendance Permit, and any supporting documents that you wish the County Board to consider, to the Sonoma County Office of Education at the previously stated address, attention Lacey Goff.

If you have any questions about completing the appeal form, you may contact Lacey Goff at (707) 524-2605.

What Happens Next?

After you have filed your appeal, the Agency Outreach Coordinator will contact you to discuss details of your appeal. The coordinator will:

- Attempt to facilitate a satisfactory resolution between you and the district(s) involved prior to scheduling a hearing
- Determine that all legal rights and legal timelines have been honored
- If a hearing is necessary, act as advisor to all parties before and during the appeal hearing
- Be available to explain County Board procedures for your case

The County Board has thirty (30) days after you file to conduct a hearing and make a decision about where your child will attend school. The Board may extend this period an additional five (5) days for "good cause."

What Happens at the Hearing?

Hearings are conducted during regular or special meetings of the County Board, held at:
Sonoma County Office of Education
5340 Skylane Blvd.
Santa Rosa, CA 95403

The hearing will be conducted in **closed** session unless the parent or legal guardian requests in writing that the hearing be held in open session within the time specified in Board Policy 5117.

It is the intent of the County Board to conduct interdistrict attendance appeal hearings in a fair and thorough manner to encourage open communication and understanding of the system. The hearing will also be conducted in such a manner that no special legal expertise is necessary and that all parties have the opportunity to present their cases fairly and completely. The law does provide that you may be represented by legal counsel or an advocate if you wish, although formal hearing procedures are not in effect.

Families with appeals on behalf of more than one child will be heard in one hearing, although each student's situation will be considered on an individual basis.

When your appeal comes up on the agenda, you and the representative of the district denying your request will take seats at a table in front of the Board. The Agency Outreach Coordinator will make an audio recording of the hearing.

The hearing is generally conducted as follows:

1. The Board President will call the hearing to order and introduce the matter for the record; all parties present will identify themselves.
2. The Board President will review the scope of the Board's role and receive written evidence regarding the matter.
3. You will be invited to present your reasons for requesting an interdistrict transfer; an opportunity for questions will be provided.
4. The representative of the district denying your request will be invited to describe actions taken by the district, including the reason(s) for the denial; an opportunity for questions will be provided.
5. The representative of the other district involved will be invited to present information; an opportunity for questions will be provided.
6. The Agency Outreach Coordinator will be asked to present any factual information not already covered.
7. Members of the Board may ask additional questions to further clarify the issues.
8. At the conclusion of presentations and questioning, the Board President will declare the hearing closed.
9. The Board will immediately deliberate the matter before the parties involved and make a decision with a roll call vote. The Board will do one of the following:
 - Grant the appeal
 - Deny the appeal
 - Return the matter to the local district for reconsideration

If the Board votes to grant the appeal, your child will be admitted to the district of desired attendance without delay. The Board may order attendance in the district, but **not a specific school**. Attendance will be ordered only for the school year for which the interdistrict attendance transfer was requested. **The decision of the County Board of Education is final.**

How Do I Prepare For the Hearing?

Adequate documentation is helpful when presenting your case. Evidence is most effective when it is provided in writing, is related to the issue(s) at hand, is the type of evidence upon which reasonable people can rely in the conduct of serious affairs. In addition to a copy of your original Request for Interdistrict Attendance Permit form (must be included with your appeal), some examples of what might be included for consideration are:

- Professional recommendations by doctors, educators, psychologists, juvenile court or others, when relevant
- Brochures of written information about special programs in the district or community of the district of desired attendance which relate to your child's interests or needs
- Documentation related to your child's safety to and from school
- A summary of childcare or substantial family needs
- Report cards or other indicators of your child's performance
- Maps
- Materials of a sensitive nature

It may also be helpful to bring a witness or someone who might make a special statement on behalf of your child.

What Will the County Board Consider?

The County Board will consider evidence presented by all parties and the Agency Outreach Coordinator and Attendance. If new evidence or grounds for the request are introduced, the Board may return the matter for further consideration by the district(s). In all other cases, the appeal will be granted or denied on its merits. The Board has broad discretion in deciding an appeal, but considers the following factors, among other things:

- Welfare of the student
- Impact upon the family
- Impact upon the district(s)

Please see SCOE Board Policy [5117\(a\)](#) for more details on the Scope of the Review.