

LODI UNIFIED SCHOOL DISTRICT

Policy 5116.1

Students

Intradistrict Open Enrollment

The Board of Education desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also balancing enrollment in order to maximize the efficient use of district facilities. The superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy and administrative regulation.

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of residence within the district.

The Board shall annually review this policy.

Enrollment Priorities:

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area.

The Superintendent or designee shall grant priority to any district student to attend another district school, including a charter school, outside of his/her attendance area as follows:

1. Any student who is a victim of a violent crime while on school grounds;
2. Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area. Special circumstances, include, but are not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers. To grant priority under these circumstances, the superintendent or designee must have received either:
 - a. A written statement from a representative of an appropriate state or local agency, such as a law enforcement official, social worker, or a properly licensed or registered professional, such as a psychiatrist, psychologist, or marriage and family therapist;
 - b. A court order, including a temporary restraining order and injunction;

3. Any sibling of a student already in attendance in that school;
4. Any student whose parent/guardian is an employee of Lodi Unified School District;
5. Families with child care needs will be placed prior to random selection, where space is available, with verification of a licensed child care provider;
6. In K-6 and K-8 schools, once a student is enrolled, they have priority for enrollment the following year. The parent or guardian of the student must, however, apply for readmission prior to February 1. A student may be subject to displacement due to excessive enrollment for the following school year. However, students will not be displaced once their school year has begun. Parents must be notified if students are to be returned to their attendance area school prior to June.

Application and Selection Process:

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for intradistrict open enrollment shall be submitted between December 1 – February 1 of the school year preceding the school year for which the transfer is requested. In K-6 and K-8 schools, applications must be submitted each year.

In high schools and middle schools, once the application is approved, it is valid for the remaining years in that school.

The superintendent or designee shall calculate each school's capacity in a non-arbitrary manner using student enrollment and available space.

Except for priorities listed above, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever the school receives admission requests that are in excess of the school's capacity.

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students.

Transportation:

The district shall not be obligated to provide transportation for students who attend school outside their attendance area.

Legal References: EDUCATION CODE
200 Prohibition against discrimination
35160.5 District policies; rules and regulations
35291 Rules
35351 Assignment of students to particular schools
46600-46611 Interdistrict attendance agreements
48200 Compulsory attendance
48204 Residency requirements for school attendance
48300-48316 Student attendance alternatives, school district of choice program
48350-48361 Open Enrollment Act
48980 Notice at beginning of term
UNITED STATES CODE, TITLE 20
6311 State plans
7912 Transfers from persistently dangerous schools
CODE OF REGULATIONS, TITLE 5
11992 - 11994 Definition of persistently dangerous schools
COURT DECISIONS
Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275
ATTORNEY GENERAL OPINIONS
85 Ops. Cal. Atty. Gen. 95 (2002)
MANAGEMENT RESOURCES:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Public School choice FAQs
Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016
U.S DEPARTMENT OF EDUCATION PUBLICATIONS
Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, rev. May 4, 2016
Unsafe School Choice Option, May 2004
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov>
U.S. Department of Education: <http://www.ed.gov>

Policy:

adopted: 01/01/94

revised: 05/20/97

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revised: 04/04/06 (technical revision)

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revised: 12/11/12

revised: 07/24/15 (technical revision)

revised: 03/06/18