

ADMISSION

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children seeking admission to a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

The Superintendent or designee shall announce and publicize the timeline and process for registration of students at district schools. Applications for intradistrict or interdistrict enrollment shall be subject to the timelines specified in applicable Board policies and administrative regulations.

All appropriate staff shall receive training on district admission policies and procedures, including information regarding the types of documentation that can and cannot be requested.

The district's enrollment application shall include information about the health care options and enrollment assistance available to families within the district. The district shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in learning about health care coverage in any manner that would harm the child or his/her family. (Education Code 49452.9)

Verification of Admission Eligibility

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

The district shall not inquire into or request documentation of a student's social security number or the last four digits of the social security number or the citizenship or immigration status of the student or his/her family members. (Education Code 234.7, 49076.7)

However, such information may be collected when required by state or federal law or to comply with requirements for special state or federal programs. In any such situation, the information shall be collected separately from the school enrollment process and the Superintendent or designee shall explain the limited purpose for which the information is collected. Enrollment in a district school shall not be denied on the basis of any such information of the student or his/her parents/guardians obtained by the district, or the student's or parent/guardian's refusal to provide such information to the district.

School registration information shall list all possible means of documenting a child's age for grades K-1 as authorized by Education Code 48002 or otherwise prescribed by the Board. Any alternative document allowed by the district shall be one that all persons can obtain regardless of immigration status, citizenship status, or national origin and shall not reveal information related to citizenship or immigrant status.

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Legal References:

EDUCATION CODE:

- 234.7 Student protections relating to immigration and citizenship status
- 46300 Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten
- 46600 Agreements for admission of pupils desiring interdistrict attendance
- 48000 Minimum age of admission (kindergarten)
- 48002 Evidence of minimum age required to enter kindergarten or first grade
- 48010 Minimum age of admission (first grade)
- 48011 Admission from kindergarten or other school; minimum age
- 48050-48053 Nonresidents
- 48200 Children between ages of 6 and 18 years (compulsory full-time education)
- 48350-48361 Open Enrollment Act
- 48645.5 Enrollment of former juvenile court school students
- 48850-48859 Educational placement of homeless and foster youth
- 49076 Access to records by persons without written consent or under judicial order
- 49076.7 Student records; data privacy; social security numbers
- 49408 Information of use in emergencies
- 49452.9 Health care coverage options and enrollment assistance
- 49700-49703 Education of children of military families

HEALTH & SAFETY CODE:

- 120325-120380 Education and child care facility immunization requirements
- 121475-121520 Tuberculosis tests for pupils

CODE OF REGULATIONS, TITLE 5

- 200 Promotion from kindergarten to first grade
- 201 Admission to high school

CODE OF REGULATIONS, TITLE 17

- 6000-6075 School attendance immunization requirements

UNITED STATES CODE, TITLE 5

- 552a Note Refusal to disclose social security number

UNITED STATES CODE, TITLE 42

- 11431-11435 McKinney-Vento Homeless Assistance Act

COURT DECISIONS

- Plyler v. Doe, 457 U.S. 202 (1982)

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Management Resources:

CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS

Dear Colleague Letter: School Enrollment Procedures, May 8, 2014

Fact Sheet: Information on the Rights of All Children to Enroll in School, May 8, 2014

Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts and Parents, May 8, 2014

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Health Care Coverage and Enrollment Assistance:

<http://www.cde.ca.gov/ls/he/hc>

California Office of the Attorney General: <http://oag.ca.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www2.ed.gov/about/offices/list/ocr>

U.S. Department of Justice: <http://www.justice.gov>