

INTRADISTRICT OPEN ENROLLMENT**Purpose**

The Board of Trustees desires to provide options for schools of choice dependent upon space available.

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. (Education Code 35160.5)

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area. (Education Code 35160.5)

Procedures

Except for transfers for victims of a violent crime and from a "persistently dangerous school," the following procedures shall apply to intradistrict open enrollment:

1. The Superintendent or designee shall identify those schools which may have space available for additional students. A list of those schools and open enrollment applications shall be available at each school site, the district office, and on the district's web site.
2. After the enrollment priorities have been applied in accordance with Board policy, if there are more requests for a particular school than there are spaces available, a random drawing shall be held from the applicant pool. A waiting list shall be established to indicate the order in which applicants may be accepted if openings occur during the year. Late applicants shall not be added to the waiting list for the current year but shall instead wait for a subsequent lottery.
3. The Superintendent or designee shall provide written notification (which may include a scanned document via email) to applicants as to whether their applications have been approved, denied, or placed on a waiting list. If the application is denied, the reasons for denial shall be stated.
4. Approved applicants must confirm their enrollment within 10 school days.

Any student who, prior to the 2016-17 school year, was granted a transfer out of a Title I school that had been identified for program improvement shall be allowed to remain in the school of enrollment until he/she completes the highest grade offered at that school.

(cf. 0520.2 - Title I Program Improvement Schools)

Additional Procedures

Approved intradistrict transfers are in effect through the highest grade at that school, and do not need to be resubmitted each year. However, students on an approved transfer are still subject to space availability. Students may be subject to displacement due to excessive enrollment. Students must also meet the requirements of the intra district transfer.

- Through grade 5 at elementary schools
- Through grade 8 at K-8 schools

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- Through grade 8 at Middle schools
- Through grade 12 at High Schools

High school students who are approved for an intradistrict transfer based on a program must remain in that program to remain on the approved intradistrict. If a student wishes to change programs they must reapply for the following year to another program. High school students dropped, removed, or exited of their own free choice from a program will be returned to their home school.

Intradistrict transfers are approved based on Board Policy and Space available.

Kindergarten through 8th grade Intradistrict Transfers

1. Student transportation is the responsibility of the parent
2. Once a student/parent/guardian accepts a transfer they cannot rescind it for a period of one year

Middle School Intradistrict Transfers

1. Student transportation is the responsibility of the parent
2. Once a student/parent/guardian accepts a transfer they cannot rescind it for a period of one year
3. All incoming Middle School students must register at their zoned school

High School Intra District Transfers

1. Student transportation is the responsibility of the parent
2. Once a student/parent/guardian accepts a transfer they cannot rescind it for a period of one year
3. All incoming High School students must register at their zoned school
4. If a student is applying for an academy or specialized program, they must turn in an intradistrict form to the Academy or Program Coordinator by January 15th.
5. If a student is on an intradistrict transfer due to an academy or specialized program, and they drop, exit, or are removed from the program during grades 9-11, they will be returned to their zoned school.
6. Any transfers received after open enrollment period will not be added to the waiting list for the current year.
7. The address of record for high school shall be established during the middle school years of enrollment (6th-8th) grades.
8. When documentation shows that parents share custody (50%), a decision must be made by the parents declaring an official address of record for high school placement.

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9. Parents will not be allowed to modify/change official address of record in order to gain access to their school of preference.
10. If separation/divorce occurs between parents of student during the time period for placement at high school; official court documentation must be provided stating physical custody for address of official record.

Intradistrict Transfer (All Schools)

Intradistrict permits involving all schools in the District are issued on the basis of the criteria contained above, below, and in Board Policy 5116.1. Continuation of student transfer is subject to the following conditions:

1. Availability of space
2. Regular school attendance
3. Passing grades in all subjects
4. Observance of school rules and regulations
5. Academic requirements established by each program

Caregiver Affidavits

Students under “Caregiver Authorization” shall be placed in schools at the discretion of the Office of Student Services based upon space availability.

Transfers for Victims of a Violent Criminal Offense

Within a reasonable amount of time, not to exceed 14 days, after it has been determined that a student has been the victim of a violent criminal offense while on school grounds, the student's parents/guardians shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee. In making the determination that a student has been a victim of a violent criminal offense, the Superintendent or designee shall consider the specific circumstances of the incident and consult with local law enforcement as appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

The Superintendent or designee shall consider the needs and preferences of the affected student and his/her parent/guardian in making the offer. If the parent/guardian elects to transfer his/her child, the transfer shall be completed as soon as practicable.

INTRADISTRICT OPEN ENROLLMENT**Transfers from a "Persistently Dangerous" School**

Upon receipt of notification from the California Department of Education (CDE) that a district school has been designated as "persistently dangerous," the Superintendent or designee shall provide parents/guardians of students attending the school with the following notifications:

1. Within 10 days of receipt of the notification from CDE, notice of the school's designation
2. Within 20 days of receipt of the notification from CDE, notice of the option to transfer their child

(cf. 0450 - Comprehensive Safety Plan)

Parents/guardians who desire to transfer their child out of a "persistently dangerous" school shall provide a written request to the Superintendent or designee and shall rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students. The Superintendent or designee may establish a reasonable timeline, not to exceed seven school days, for the submission of parent/guardian requests.

The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian's preference if the assignment is not feasible due to space constraints or other considerations. For students whose parents/guardians accept the offer, the transfer shall generally be made within 30 school days of receiving the notice of the school's designation from the CDE. If parents/guardians decline the assigned school, the student may remain in his/her current school.

The transfer shall remain in effect as long as the student's school of origin is identified as "persistently dangerous." The Superintendent or designee may choose to make the transfer permanent based on the educational needs of the student, parent/guardian preferences, and other factors affecting the student's ability to succeed if returned to the school of origin.

The Superintendent or designee shall cooperate with neighboring districts to develop an inter-district transfer program in the event that space is not available in a district school.

(cf. 5117 – Inter-district Attendance)

Appeal Process for Denials of Transfer Applications

Parent/guardian appeal of a denial for an Open Enrollment Request shall be made, in writing, to the Director of Student Services. The response from the Director of Student Services will constitute as the final step in the Open Enrollment Appeal process. In addition, a parent/guardian who believes he/she has been subject to discrimination may file a complaint using the district's Uniform Complaint Procedures.

Complaints

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Any complaints regarding the open enrollment process shall be submitted in accordance with the applicable complaint procedure.

(cf. 1312.3 - Uniform Complaint Procedures)

Notifications

Notifications shall be sent to parents/guardians at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district. Such notification shall include: (Education Code 35160.5, 48980)

1. All options for meeting residency requirements for school attendance

(cf. 5111.1 - District Residency)

(cf. 5118 - Open Enrollment Act Transfers)

2. Program options offered within local attendance areas

3. A description of any special program options available on both an interdistrict and intradistrict basis

4. A description of the procedure for application for alternative attendance areas or programs and the appeals process available, if any, when a change of attendance is denied

5. A district application form for requesting a change of attendance

6. The explanation of attendance options under California law as provided by the CDE

(cf. 5145.6 - Parental Notifications)