

STUDENTS

Intradistrict Open Enrollment

Transfers for Victims of a Violent Criminal Offense

Within a reasonable amount of time, not to exceed 14 calendar 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 parent/guardian in making the offer. If the parent/guardian elects to transfer the student, the transfer shall be completed as soon as practicable.

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," intradistrict transfers shall be granted as follows:

1. Within 10 days of receipt of the notification from CDE, the Superintendent or designee shall provide parents/guardians of students attending the school with notice of the school's designation. Along with this notification, or at least 14 calendar days before the start of the school year, the Superintendent or designee shall provide a list of other district schools to which any student of the school that is designated as persistently dangerous may transfer.
2. Parents/guardians who desire to transfer their child out of the school shall provide a written response 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.
3. 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. The Superintendent or designee shall notify the parents/guardians of the assigned school.
4. For students whose parents/guardians accept the offer, the transfer shall be made as quickly as possible. If the parents/guardians decline the assigned school, the student may remain in the 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 interdistrict transfer program in the event that space is not available in a district school.

Other Intradistrict Open Enrollment

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. Students of parents/guardians who submit applications to the District between March 1st and May 1st shall be eligible for admission to their requested school the following school year under the District's open enrollment policy. Exhibit 5116.1 is the approved Open Enrollment Application.
3. Enrollment in a requested school shall be determined by lot from the eligible applicant pool, and 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.
4. The Superintendent or designee shall provide written notification 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.
5. Approved applicants must confirm their enrollment within 10 school days.

Once enrolled, a student shall be required to reapply for readmission. The student may be subject to displacement due to excessive enrollment or when the following conditions occur:

- a. The transfer student fails to maintain sufficient academic progress, i.e. fails to maintain a 2.0 GPA or higher.
- b. The transfer student fails to maintain a 98% attendance rate
- c. The transfer student fails to follow school rules or has serious Education Code 48900 violations.
- d. The transfer student will displace a student who is a resident of that school.

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

Boundary Change Continuous Transfer

Enrollment eligibility for students who intend to stay at their current school will be determined during the transfer period for the upcoming school year. Applications must be submitted between the first school day of April and the last school day of May. Transportation will not be offered for students who choose to continue attending their current school using the boundary change continuance transfer and/or through open enrollment.

When the Board's decision to revise attendance boundaries goes into effect, all students will attend school according to the revised boundaries, except as provided below:

1. Elementary School

Although the Board encourages all students to attend school in their designated attendance area, students entering the fifth and sixth grade may apply to remain at the school of their original attendance area. Students interested in staying at their original school must file an Open Enrollment Transfer Application with the District. This exception will be contingent upon the space available. Priority for available space will be determined by the date the student's Open Enrollment Transfer Application is received by District.

2. Middle School

Although the Board encourages all students to attend school in their designated attendance area, students entering the eighth grade may apply to remain at the school of their original attendance area. Students interested in staying at their original school must file an Open Enrollment Transfer Application with the District. This exception will be contingent upon the space available. Priority for available space will be determined by the date the student's Open Enrollment Transfer Application is received by District.

3. High School

Although the Board encourages all students to attend school in their designated attendance area, students entering grade eleven and twelve at the time the boundary change goes into effect may apply to remain at the high school of their original attendance area. Students interested in staying at their original school must file an Open Enrollment Transfer Application with the District. This exception will be contingent upon the space available. Priority for available space will be determined by the date the student's Open Enrollment Transfer Application is received by District.

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
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 CDE

Regulation approved: 6/28/94

Regulation revised: 7/05; 2/09; 2/11; 8/20/12; 3/8/24